

ATTACHMENTS

for

Goodnews River System

INTERIM SUMMARY REPORT

Prepared by Rolfe Buzzell, Ph.D.
Historian II

Kuskokwim Assistance Agreement
Phase II-B Submission

Office of History and Archaeology
Department of Natural Resources
State of Alaska

June 8, 2011

UNITED STATES GOVERNMENT

Memorandum

**Goodnews River System
Interim Summary Report
Attachment 1**

TO : Files

DATE: NOV 15 1976

FROM : Realty Specialist, McGrath Resource Area

In reply refer to:
F-14862/2651 (102)

SUBJECT: Summary of Goodnews Bay Village Easement Proposals Meeting on
September 11, 1975

Those present included John Roberts, chairman, William Walter, Evan Beaver, Louis Smith, Otto Pavala, and Christian Bavilla. Some 19 others also attended the meeting. Joe Labay and Cliff Ells representing the ADO of BLM presented the proposals.

Easement comments were solicited from some 22 agencies on December 4, 1975. Several agencies responded with easement recommendations before the date of the village meeting.

The following easement proposals were discussed and comments noted:

Easement Proposal No. 1 - Quinhagak Coast Trail

1. Recommended by the State Division of Lands, the State Department of Fish and Game, and the Bureau of Mines.
2. An old mail sled dog trail that is only sometimes used. Snowmachines often travel directly southeast from Carter Creek rather than follow the coast. Village fuel supplies are brought into Quinhagak from Platinum.
3. For continued use as winter travel corridor between villages and for hunting and trapping access.
4. The village corporation does not strongly oppose these easements as they do see some use.

Easement Proposal No. 2 - Quinhagak Snowmachine Trail

1. Suggested actual route by the Goodnews Bay residents.
2. A variable route according to snow conditions and weather that generally follows a straight-line course.
3. For access between villages.
4. The village corporation does not oppose this easement that lies mostly on other ownership lands.



Easement Proposal No. 3 - Arolik River Mining Trail

1. Recommended by the State Division of Lands, the State Department of Fish and Game, and the U.S. Bureau of Mines.
2. This trail is at least 20 years old; it is very visible in the tundra but is said to have no use today by either Natives nor mining interests.
3. For transportation corridor and hunting and trapping access.
4. The village corporation believes their trail has no use today nor is any needed. Mining interests also have no need for it.

Easement Proposal No. 4 - Wattamuse Mining Trail

1. Recommended by the State Department of Fish and Game, the State Division of Lands, and the U.S. Bureau of Mines.
2. This prominent trail north from the village of Goodnews Bay is a winter route to hunting and trapping areas. Formerly used to supply the Wattamuse Mining Company.
3. Needed for a transportation route and future recreational needs on public lands.
4. The village corporation does not want public travel across their lands.

Easement Proposal No. 5 - Goodnews Bay Campsite

1. Recommended by the Alaska State Department of Fish and Game.
2. The available area for a campsite lies outside the best use area which is above the tide line and on the airport lease area immediately in front of the village.
3. For boat and float plane tie-up and overnight camping.
4. The village corporation recommends overnight camping elsewhere as the best site has heavy boat use. Float planes land only at high tide.

Easement Proposal No. 6 - Slate Creek-Goodnews River Campsite

1. Recommended by the State Department of Fish and Game.
2. This campsite area lies far upriver and is located well for a stopover location traveling upriver. It is one to two days travel to Goodnews Lake.

3. Desired for overnight camping and landing site with access to the Slate Creek area trails for fishing, recreational use and access.
4. The village corporation believes factors of weather and boat operations determine stopping areas along the river.

Easement Proposal No. 7 - Goodnews River Campsite

1. Recommended by the U.S. Fish and Wildlife Service.
2. This campsite is midway through the village selection area and in an attractive setting of timber and open higher ground bordering the river and adjacent to the Wattamuse Creek trail.
3. Desired for boat pullout and landing sites for residents, Natives, and visitors using the river.
4. The village corporation does not care for campsites along their main fishing river.

Easement Proposal No. 8 - Middle Fork Campsite

1. Recommended by the U.S. Fish and Wildlife Service.
2. A favorite fishing spot where the two streams join and directly opposite a Native allotment applied for location.
3. For continued public access and recreational use of this portion of the Goodnews River.
4. The village corporation does not wish to have competing use along the river that bisects their land.

Easement Proposal No. 9 - Togiak and Platinum Trail

1. Recommended by the State Department of Fish and Game, the State Division of Lands, and the U.S. Bureau of Mines.
2. This is a well-used and a historical route leading eastward toward Togiak and Bristol Bay. It has also hunting and trapping use and provides access to public lands. A trail branch leads south to connect with Platinum Village.
3. For use as a transportation corridor between villages and hunting and trapping access.
4. The village corporation agrees other villages and the public has long-time use on this trail route.

Easement Proposal No. 10 - Marine Coastline

1. Recommended by the State Division of Lands.

2. The statewide 25-foot public seashore easement applies to this lower portion of the Kuskokwim River.
3. For continued public access.
4. The village corporation had no strong pro or con feelings on this type of an easement.

Easement Proposal No. 11 - Goodnews River Trail and Campground

1. Recommended by the BLM district staff.
2. This is a fourth river campground proposal that would replace any other. It's location would be advantageous to public land access.
3. It serves as a river stopping point mid-way through the village selection area and is trail head access. A ½-mile trail leads east to public land.
4. This recent proposal was not presented to the village residents.

Easement Proposal No. 12

1. Recommended by the BLM district staff.
2. A west extension of the Wattamuse Mining Trail that crosses the Tunalik River and skirts to the nearby hills.
3. This trail provides public land access to a block pattern situated between village selection areas.
4. The village people did not discuss this more recent proposal.

Easement Proposal No. 13 - Navigable Waters

1. Recommended by the State Division of Lands, private parties, and Knik Kanoers.
2. The main stream of the Goodnews River, the South Fork and the Middle Fork are on the navigable water state proposal.
3. For public ingress and egress.
4. The village corporation opposes any streamside easement along these waters.

15/ CLFF E113

CE113:gs 11/15/76

UNITED STATES GOVERNMENT

Memorandum

Anchorage District Office
RECEIVED

Goodnews River System
Interim Summary Report
Attachment 2

TO : Files *M*

FEB 7 1977

DATE: JAN 31 1977

FROM : Realty Specialist

Bureau of Land Management
Anchorage, Alaska

In reply refer to:
2651 (932)
F-14862-EE

SUBJECT: Easement Task Force Meeting on Goodnews Bay

On November 16, 1976, the Easement and Navigability Task Force met to consider easements and navigable waters for the village of Goodnews Bay.

The selected lands for this village are subject to Secretarial Order 2987.

Navigable waters were discussed and the following rivers were considered to be navigable due to travel, trade or commerce, or susceptibility to travel, trade, or commerce. These are the Goodnews River throughout the selection area and Slate Creek from its mouth to the old Wattamuse Mining Camp.

The following easements were approved by the Task Force.

1 D1,D9,C3,C4 A 50' wide trail extending westerly from Goodnews through selected lands. The trail is primarily a winter route and provides access between villages and to public lands. The trail narrows to 25' when it forks and enters lands selected by other villages. The segment of this trail from the platinum selection northerly to public lands is 25' wide. At one time in the past, this trail was a mail route.

DM.....
ADM.....
PA.....
RES.....
ENG.....
ADMIN.....
FIRE.....
AM-PEN.....
AM-MCG.....
AM-GLN.....

2 M,C5 A 25' trail extending from trail 1 northwesterly across selected lands until it intersects trail 1 near the mouth of Carter Creek. This is primarily a winter route providing access between villages and to public land.

.....Action
.....Reply
.....Info
.....Commen
.....File

3 D1,D9,C3,C4 A 50' trail beginning in section 20 of T.12S., R.74W., SM., on the north shore of Goodnews Bay extending generally northeasterly across selected lands. The trail provides access to public lands.

4 D1,D9,C3,C4 A 50' trail extending northeasterly from Goodnews to the old Wattamuse Mining Camp. This is an existing trail that was formerly used to supply the Wattamuse Mining Camp. This trail provides access to public lands.



- 5 D9,C4 A one acre site easement for staging, camping, and vehicle use located northeast of the village and adjacent to the northside of the airport lease area. This is necessary to facilitate the public access to public lands.
- 6 D9,C4 A two-acre site easement for staging and vehicle use located in section 21, T.10S., R.71W., SM., on the right bank of the Goodnews River. This is necessary to facilitate the public access to public lands.
- 6A C⁴_{57A} 1/31/77 A 50' trail easement extending northerly from site easement 6 to trail 4 which leads to the Wattamuse Mining Camp. This easement will provide access to public lands.
- 7 C6,C4 A one-acre site easement for camping and vehicle use located in section 21, T.11S., R.72W., SM., on the right bank of the Goodnews River. The site is necessary to facilitate the public use of public waters.
- 8 C6,C4 A one-acre site easement for staging, camping, and vehicle use located near the confluence of the Goodnews and Middle Fork Rivers. Actual location is dependent on disposition of pending Native Allotments in the vicinity. The site will be located so as to avoid being placed on an approved allotment. The site is necessary to facilitate the use of public waters.
- 9 D1,D9,C3 A 25' trail extending from Goodnews easterly to Togiak providing access to public lands and the Bristol Bay area. The trail receives primarily winter use as a transportation route between villages and as access to public lands for hunting.
- 10 D1,D9,C3 A 25' continuous marine coastline easement.
- 11 C5 A one-acre site easement for staging, camping, and vehicle use with a 25' trail leading easterly to public lands. The site is located on the Goodnews River in section 2, T.11S., R.72W., SM. This easement will provide access to public lands. The site is necessary to facilitate the public access to public lands.
- 11 A
- 12 C5 A proposed 25' trail branching off of trail 4 beginning in the NE 1/4 of section 3, T.12S., R.73W., SM., extending westerly to public lands. The trail provides access to the southern portion of a block of public land.

- 13 D1,L A 25' streamside easement along both banks of the Goodnews River as it crosses the selection area. The Goodnews River is considered to have a highly significant present recreational use. It has runs of king, chum, pink, silver, red salmon, rainbow trout, and arctic char.
- 14 C5 A 25' trail branching off of trail 9, in section 17, T.12S., R.72W., SM., extending southwesterly to Platinum. This trail provides access to public lands and is a land travel route between the villages of Goodnews and Platinum.
- 15 D1,L A 25' wide streamside easement along both banks and on the bed of the Middle Fork of the Goodnews River as it crosses selected lands. This stream is considered to have highly significant present recreational use. It has runs of chum and red salmon and arctic char.

Stanley H. Bronzyk

Memorandum

file: Goodnews River 2

TO : Files - Navigable Waters, Alaska

DATE: March 10, 1977

FROM : Robert Q. Pickering (E. & H.T.F. Member)

In reply refer to:
9185.5 (922)

SUBJECT: Navigable Waters within Village Selections

This report is to identify the various rivers and lakes the Easement and Navigability Task Force determined to be navigable, for area exclusion purposes, in village and regional selections.

Navigability determinations are based on historical evidence, field investigation, and public testimony, all documented in the case files, and the Bureau's navigability guidelines.

Navigable water to be excluded from village selections, determined by the task force, since September 2, 1976, to present, are listed by village name, alphabetically, as follows:

Eek	All tidal waters. The Eek River through the selection, was determined navigable based on susceptibility and is thought to be tidal up to Eek.
Goodnews Bay	<u>Goodnews River is navigable up to Slate Creek by past history and susceptible to navigability from Slate Creek, easterly to boundary of selection.</u>
Koyukuk	The Yukon and Koyukuk Rivers.
Manley Hot Springs	Tanana River. Hotsprings Slough is navigable from the Tanana River upstream to three miles above the highway bridge.
Nenana	Tanana River
Platinum	Tide waters only. The large lake (Big Lake) on the north side of Goodnews Bay is considered tidal.
Quinhagak	Tide water. The Kanektok River and the north mouth of Arolik River are considered navigable by the State. The Task Force did not have sufficient evidence to make a determination.

**Goodnews River System
Interim Summary Report
Attachment 3**



Goodnews River System
Interim Summary Report
Attachment 4

State Office
553 Cordova Street
Anchorage, Alaska 99501

2651 (941)
X7-14862-RE
F-14862-A

MAR 25 1977

Handwritten:
2/16
3-16

NOTICE OF PROPOSED EASEMENT RECOMMENDATIONS
FOR THE VILLAGE OF GOODNEWS BAY

Pursuant to Departmental regulations (43 CFR 2650.4-7), notice is hereby provided of public easements identified on lands selected by Nutsarak, Inc.

Subject to valid existing rights, the following described lands are only a portion of the total selected lands which are shown on the enclosed maps:

Seward Meridian, Alaska (Unsurveyed)

T. 12 S., R. 73 W.
sections 1-36

T. 12 S., R. 72 W.
sections 1-12 and 14-21

T. 11 S., R. 73 W.
sections 1-3, 10-19, and 32-36

T. 11 S., R. 72 W.
sections 2-10, 14-23, and 26-35

T. 10 S., R. 72 W.
sections 18-23 and 26-36

T. 12 S., R. 74 W.
sections 3, 4, 9, 10, 13-16 and 21-24

T. 11 S., R. 74 W.
sections 4, 5, 8, 9, 15, 16, 17, 20, 21, 24,
27-29 and 33-35

T. 10 S., R. 74 W.
sections 28-33

T. 10 S., R. 75 W.
sections 4, 5, 8, 9, 16, 17, 20, 21 and 25-36

T. 10 S., R. 73 W.
sections 13-15, 22-27 and 34-36

The following easements are hereby recommended for inclusion in the conveyance document under the provisions of section 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971:

EASEMENT IDENTIFICATION
NUMBER (MIN)

- 1 D1, D9, C3, C4 A 50-foot wide trail extending westerly from Goodnews through selected lands. The trail is primarily a winter route and provides access between villages and to public lands. The trail narrows to 25 feet when it forks and enters lands selected by other villages. The segment of this trail from the Platinum selection northerly to public lands is 25 feet wide. At one time in the past, this trail was a mail route.
- 2 E, C5 A 25-foot trail extending from trail No. 1 northwesterly across selected lands until it intersects trail No. 1 near the mouth of Carter Creek. This is primarily a winter route providing access between villages and to public land.
- 3 D1, D9, C3, C4 A 50-foot trail beginning in section 20 of T.12S., R.74W., S.M., on the north shore of Goodnews Bay extending generally northeasterly across selected lands. The trail provides access to public lands.
- 4 D1, D9, C3, C4 A 50-foot trail extending northeasterly from Goodnews to the old Wattamuse Mining Camp. This is an existing trail that was formerly used primarily by the Wattamuse Mining Camp. This trail provides access to public lands.
- 5 D9, C4 A one-acre site easement for staging, camping, and vehicle use located northeast of the village and adjacent to the northside of the airport lease area. This is necessary to facilitate the public access to public lands.
- 6 D9, C4 A two-acre site easement for staging and vehicle use located in section 21, T.10S., R.71W., S.M., on the right bank of the Goodnews River. This is necessary to facilitate the public access to public lands.
- 6A, C4 A 30-foot trail easement extending northerly from site easement No. 6 to trail No. 4 which leads to the Wattamuse Mining Camp. This easement will provide access to public lands.

7 C6, C4

A one-acre site easement for camping and vehicle use located in section 21, T.11S., R.72W., S.M., on the right bank of the Goodnews River. The site is necessary to facilitate the public use of public waters.

8 C6, C4

A one-acre site easement for staging, camping, and vehicle use located near the confluence of the Goodnews and Middle Fork Rivers. Actual location is dependent on disposition of pending Native allotments in the vicinity. The site will be located as to avoid being placed on an approved allotment. The site is necessary to facilitate the use of public waters.

9 D1, D9, C3

A 25-foot trail extending from Goodnews easterly to Fogiah providing access to public lands and the Bristol Bay area. The trail receives primarily winter use as a transportation route between villages and as access to public lands for hunting.

10 D1

A 25-foot continuous marine coastline easement upland of and parallel to the mean high-tide line.

11 C5

A one-acre site easement for staging, camping, and vehicle use with a 25-foot trail leading easterly to public lands. The site is located on the Goodnews River in section 2, T.11S., R.72W., S.M. This easement will provide access to public lands. The site is necessary to facilitate the public access to public lands.

12 C5

A proposed 25-foot trail branching off of trail 4 beginning on the NE 1/4 of section 3, T.12S., R.72W., S.M., extending westerly to public lands. The trail provides access to the southern portion of a block of public land.

13 D1, L

A 25-foot streamside easement along both banks of the Goodnews River as it crosses the selection area. The Goodnews River is considered to have a highly significant present recreational use. It has runs of king, chum, pink, silver, red salmon, rainbow trout, and arctic char.

14 C5

A 25-foot trail branching off of trail 9, in section 17 T.12S., R.72W., S.M., extending southwesterly to Platinum. This trail provides access to public lands and is a land travel route between the villages of Goodnews and Platinum.

15 D1, L

A 25-foot wide streamside easement along both banks and on the bed of the Middle Fork of the Goodnews River as it crosses selected lands. This stream is considered to have highly significant present recreational use. It has runs of chum and red salmon and arctic char.

16 C

The right of the United States to enter upon the lands herein granted for cadastral, geodetic or other survey purposes is reserved together with the right to do all things necessary in connection therewith.

17 C

An easement for the transportation of energy, fuel, and natural resources which are the property of the United States or which are produced by the United States.

Navigable waters were discussed and the following rivers were considered to be navigable due to travel, trade or commerce, or susceptibility to travel, trade, or commerce. These are the Goodnews River throughout the selection area and Slate Creek from its mouth to the old Mattamus Mining Camp.

This notice does not cover statutory reservations such as railroads, ditches, canals, telegraph lines, or granted rights-of-way.

Written comments must be filed with the Joint Federal-State Land Use Planning Commission, 733 West Fourth Avenue, Suite 400, Anchorage, Alaska 99501 no later than MAY 9 1977. A copy of any comments should also be sent to the State Director, Bureau of Land Management, 555 Cordova Street, Anchorage, Alaska 99501.

Curtis V. McVee
State Director

cc:

DM-A(018)

Public Service (Fairbanks)

Public Service (941)

BBaker:mk 3/9/77



BUREAU OF LAND
MANAGEMENT
ANCHORAGE

Federal-State
Land Use Planning Commission
For Alaska

JUN 22 12 20 PM '77

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ANCHORAGE AK.

Anchorage District Office
RECEIVED

JUN 17 1977
JUN 17 1977

JUN 27 1977

Mr. Curtis V. McVee
State Director
Bureau of Land Management
555 Cordova Street
Anchorage, Alaska 99501

**Goodnews River System
Interim Summary Report
Attachment 5**

Bureau of Land Management
Anchorage, Alaska

Dear Mr. McVee:

The Commission has reviewed the proposed easements for lands selected by Kuitsarak, Incorporated (Goodnews Bay), No. F-14862-A, under Section 12 of the Alaska Native Claims Settlement Act. You requested our comments in your letter of March 25, 1977.

We have reviewed your notice of proposed easements and have used the same map reference numbers. Our recommendations are for the land area selected in the above application.

On the basis of this review, we make the following recommendations. All existing easements should be maintained. In addition, we recommend that the public easements described on Attachment A be reserved on the above selections. The easements that you recommend and that we disagreed with are also described on Attachment A.

These easement recommendations are based on our interpretation of Order No. 2982 by the Secretary of the Interior effective February 5, 1976. In addition, we have reviewed our resources and transportation inventory. Government agencies, Native corporation leaders, and other knowledgeable parties have also been asked to submit their views. The interested party comments are attached.

We would be glad to review our recommendations with you at your convenience.

Sincerely,

Walter B. Parker
State Co-Chairman

Enclosures (3)

1. Attachment A
2. Attachment B - List of Interested Parties
3. Comments from Interested Parties

cc: Interested Parties



Federal-State
Land Use Planning Commission
For Alaska

ATTACHMENT A

EASEMENT RECOMMENDATIONS BY THE COMMISSION FOR GOODNEWS BAY VILLAGE SELECTION
APPLICATION NUMBER F-14862-A.

<u>Easement Identification Number (EIN)</u>	<u>Description and Commission's Recommendations</u>
1-D1, D9, C3, C4	A 50-foot-wide trail extending westerly from Goodnews through selected lands. The trail is primarily a winter route and provides access between villages and to public lands. <u>Agree.</u>
2-M, C5	A 25-foot trail extending from trail No. 1 northwesterly across selected lands until it intersects trail No. 1 near the mouth of Carter Creek. This is primarily a winter route providing access between villages and to public land. <u>Agree.</u>
3-D1, D9, C3, C4	A 50-foot easement on an existing trail beginning in Section 20 of T. 12 S., R. 74 W., S.M., on the north shore of Goodnews Bay extending generally northeasterly to public land. <u>Agree.</u>
5-D9, C4	A 1-acre site easement located northeast of the village and adjacent to the northside of the airport lease area. <u>Agree.</u>
6-D9, C4	A 2-acre site easement located in Section 21, T. 10 S., R. 71 W., S.M., on the right bank of the Goodnews River. <u>Agree.</u>
6A-C4	A 50-foot trail easement extending northerly from site easement No. 6 to trail No. 4 which leads to the Wattamuse Mining Camp. <u>Agree.</u>
7-C6, C4	A 1-acre site easement located in Section 21, T. 11 S., R. 72 W., S.M., on the right bank of the Goodnews River. <u>Agree.</u>

8-C6, C4

A 1-acre site easement located near the confluence of the Goodnews and Middle Fork Rivers. Actual location depends on disposition of pending Native allotments in the vicinity.
Agree.

9-D1, D9, C3

A 25-foot trail extending from Goodnews easterly to Togiak providing access to public lands and the Bristol Bay area.
Agree.

10-D1

A 25-foot continuous marine coastline easement upland of and parallel to the mean high-tide lines.
Agree.

11-C5

A 1-acre site easement with a 25-foot trail leading easterly to public lands. The site is located on the Goodnews River in Section 2, T. 11 S., R. 72 W., S. M.
Agree.

12-C5

A proposed 25-foot trail branching off of trail 4 beginning on the NE 1/4 of Section 3, T. 12 S., R. 73 W., S.M., extending westerly to public lands
Agree.

13-D1, L

A 25-foot streamside easement along both banks of the Goodnews River.
Agree.

14-C5

A 25-foot trail branching off of trail 9, in Section 17 T. 12 S., R. 72 W., S.M., extending southwesterly to Platinum. This trail provides access to public lands and a land travel route between the villages of Goodnews and Platinum.
Agree.

15-DL, L

A 25-foot wide streamside easement along both banks and on the bed of the Middle Fork of the Goodnews River as it crosses selected lands.
Agree.

16-C

The right of the United States to enter upon the lands herein granted for cadastral, geodetic or other survey purposes.
Agree.

17-C

An easement for the transportation of energy, fuel, and natural resources which are the property of the United States or which are produced by the United States.
Agree.

The Commission suggests a management policy be initiated by BLM for each type of easement. These policies should contain information that will alleviate many of the fears that are described in letters received from village corporations.



Federal-State
Land Use Planning Commission
For Alaska

ATTACHMENT B

Date: JUN 17 1977

LIST OF INTERESTED PARTIES WHO COMMENTED ON THE PUBLIC EASEMENT RESERVATIONS
FOR GOODNEWS BAY VILLAGE SELECTION NO. F-14862-A.

<u>Interested Party</u>	<u>Date of Letter or Comment Received</u>
Bureau of Mines	April 4, 1977
Bureau of Indian Affairs	April 20, 1977
Department of Fish and Game	May 9, 1977
Department of Public Works	May 10, 1977
Department of Natural Resources	May 11, 1977
Department of Highways	May 12, 1977
Goodnews Bay Village (by Gallagher, Cranston and Snow)	May 17, 1977

Goodnews Bay

MAY 17 1977

LAW OFFICES

GALLAGHER, CRANSTON & SNOW

A PROFESSIONAL CORPORATION

310 K STREET, SUITE 500

ANCHORAGE, ALASKA 99501

May 16, 1977

RUSSELL J. GALLAGHER
CHARLES K. CRANSTON
VERNON L. SNOW
JAMES P. DOOGAN, JR.

OF COUNSEL
C. GIRARD DAVIDSON
1700 K STREET, N.W.
WASHINGTON, D. C. 20008
(202) 331-8830
OR
1008 COMMONWEALTH BLDG.
PORTLAND, OREGON 97204
(503) 223-3800

AREA CODE 907
276-1994

Joint Federal State Land Use
Planning Commission
733 West Fourth Avenue, Suite 400
Anchorage, Alaska 99501

Re: Easement Designations for the
Village Corporations of Eek, Quin-
hagak, Goodnews Bay and Platinum.

Gentlemen,

The corporations for the above villages are situated on the coast, near the mouth of the Kuskokwim River, lying in a southwesterly direction. These village corporations are members of what is known as the Yugtak Management Corporation. That corporation includes all of the villages from Kwethluk on the Kuskokwim River to the mouth of the river. On April 22, 1977, all of these corporations met to review the easements recommended by BLM. Although the easement designations are of particular concern to the respective village corporations, they are, in a broader sense, of equal concern to all of these villages up and down the river and on the coast.

1) TRAIL FROM BETHEL TO EEK:

This particular easement is not objected to by the village corporation of Eek. The easement is roughly in the correct location, and it does represent a significant "highway" between Eek and Bethel. It actually commences at Bethel and goes into the river and stays in the river until Lomarvik. It is at that point that the trail turns inland and connects with the easement as shown on the easement maps. With that exception, Eek has no objection to the easement, so far as it extends from Bethel to Eek.

2) TWENTY-FIVE FOOT TRAIL FROM EEK TO QUINHAGAK:

Both Eek and Quinhagak acknowledge the fact that there is an existing trail as shown on the easement designation maps. However, they would prefer that the trail be shown and be used in a different manner.

First, the existing trail goes along the coastal area, which is, according to the Eskimo people, an important feeding and nesting area of water fowl. They would prefer that a new trail be designated. They would like to see an extension of what is shown on the easement maps as Number (2)

[Handwritten signature and initials]

from the point where it enters federal land in Section (29), T 1N R 73W in an approximately straight line to Quinhagak. That route, according to the native people, would provide for more direct transportation between the two villages, while simultaneously protecting the important wildlife along the old trail.

3) CAMPSITE EASEMENT IN THE VILLAGE OF EEK:

Of all of the easement designations for Eek, this particular campsite easement probably angers the native community most of all. There is absolutely no reason for the campsite, nor is it permitted under the Act, or the regulations implementing the Act.

Access to public lands, which appears to be the rationale for the campsite, can be had from numerous other points on the coast, along the Kuskokwim, along Eek Channel, and along the Kuskokowak Channel.

Nothing in the Act or the regulations permits campsites upon native lands. Any campsites or other facilities which may be necessary for public use in the distant future would be expected to be provided for by the future city of Eek.

4) CONTINUOUS MARINE COASTLINE EASEMENT:

It goes without saying that all of the village corporations in this area strongly object to, and will not permit an easement along the coast, which is owned by the native people. Of course, they are convinced that the judicial system will declare their position to be correct, and that of the Secretary of the Interior to be against the intent of the Act.

5) TWENTY-FIVE FOOT EASEMENT ON EEK RIVER:

When was the last time that any member of the Commission heard of anyone using the Eek River for recreational purposes? For that matter, outside of the land claims act context, when has any member of the Commission heard of anyone going to the village of Eek? The point to be made here is that although Eek is situated in a

beautiful part of the world, it is, in anyone's view, isolated from all but the immediate native population in that area. For BLM to suggest, as it does in its easement designations, that the Eek River has had a significant present recreational use by the public at large is ridiculous. Only when the term recreational is used to describe the use made of the river by the native people, does it have any meaning at all. It is recreational to the native population in the sense that they rely upon the fish in the river for their daily and yearly subsistence needs. To provide access to the river banks to all comers would be, in the minds of the native community, taking away what they thought they had gained in the Land Claims Act.

Although not directly pertinent, the manner in which BLM has worded some of these easements is interesting. In some cases, when referring to twenty-five foot streamside easements, they speak in terms of "highly significant present recreational use", but in other cases, they simply refer to the same type of easements for gaining public access or for merely recreational use. It leads one to believe that BLM does not have any standards for determining when an easement is or is not appropriate.

10) D(1) SIXTY FOOT ROAD - AIRPORT TO
KANEKTOK RIVER:

The corporation objects to this roadway. It crosses an existing native land allotment.

10a) ONE ACRE SITE EASEMENT - "STAGING
AND VEHICLE USE":

This is simply another improper and illegal attempt at providing for a non-native enclave within native lands. Apparently, no thought was given by BLM to the existing native land allotments on that particular site.

11) BESSIE CREEK STREAMSIDE EASEMENT:

Assuming that any non-native would ever venture onto the Bessie Creek, the government would be inviting disaster. That area is not used at all during summer months by the Eskimo people, and is extremely dangerous during the winter because the waters do not completely freeze. It is

used by the native people only during the winter months, with great caution, for the taking of ptarmigan, rabbits and other small animals. In addition to this, the Eskimo people know of no "present recreational use" - they hardly consider their subsistence activity during the winter months as recreational. It is interesting to note that the typical excuse for these streamside easements, i.e. access to public lands, is not an excuse used with regard to the Bessie Creek designation. It must have been obvious to BLM that no one in their right mind would walk the distance from the mouth of the Arolik to the end of the Bessie Creek easement designation.

12) STREAMSIDE EASEMENT - KANEKTOK RIVER:

As with all of these streamside easements, they will be struck down by the federal courts as not permissible under the Act. To state, as this easement designation does, that "it has runs of Rainbow Trout, Chum, King and Silver Salmon" is simply to state that the Eskimo people located their villages in areas where the subsistence fish was as plentiful as possible. It is simply ludicrous to provide for the trophy hunter, when the same grounds are used for the subsistence needs of the local native community. Comments of the village corporation with regard to this particular easement are especially important.

13) EASEMENT ALONG MAGAKTLEK RIVER:

The same objections raised under Identification (11) for the Bessie Creek easement are applicable to this particular easement.

14) AROLIK RIVER EASEMENT:

The same comments made with regard to the Kanektok River easement are made regarding the Arolik River easement. In addition, we note that the river has not been designated as being navigable, and therefore, it is to be assumed that BLM anticipates people walking up and down the river banks for the twenty or thirty mile span of the Arolik River.

Note the comment of the Eskimo community, "The river primarily has a subsistence purpose for all species of fish, wild fowl, and animals. We do not want any kind of recreation activity because it will deplete our only source of subsistence. The fish use it as a spawning area".

15) STREAMSIDE EASEMENT - SOUTH MOUTH
OF THE AROLIK RIVER:

Same comments as Number (14) and (12) above.

The same objections raised with regard to the transportation and survey easements designated (7) and (6) respectively for the village corporation of Eek are reiterated with regard to Quinhagak. Floating transportation easements are not permitted under the Act and only certain types of surveys are mandated in the Act, under the selection regulations.

GOODNEWS BAY

1) and 2) FIFTY FOOT AND TWENTY-FIVE FOOT TRAIL
EASEMENTS FROM QUINHAGAK TO GOODNEWS
BAY AND PLATINUM:

The three village corporations for Quinhagak, Goodnews Bay, and Platinum discussed at great length these particular trail easements. At first, there was an attempt by the village corporations to find an alternate route between the villages, so as to avoid passing through the important nesting areas along the coast. It was finally decided that the existing trails, roughly as designated in Easement Identifications (1) and (2), are not objected to by the village corporations. They do, however, want various regulations governing the use of these trails to be imposed.

3) WINTER TRAIL - PLATINUM TO GOODNEWS BAY:

The above trail supposedly connects Goodnews Bay and Platinum at such times as the ice conditions on Goodnews Bay does not permit travel across the Bay. The trail does exist, but is not in the location shown by Identification Number (3). Instead, see the enclosed map with a re-drawn

trail, marked with a star connecting the two villages. If the trail were re-drawn as shown on the attached map, the village corporations would withdraw their objections to that particular trail.

4) WHATTAMUSE MINING CAMP TRAIL:

The village corporations object to the designation of the trail which is no longer in use and which is not necessary for access to the upper public lands. Access is already available on the Goodnews River, which is shown as being navigable along the entire length of the land selection area. Access to public lands is available along the shore as well. See the map for T 8 & 9S R 75 & 74W.

5) ONE ACRE CAMPSITE IN GOODNEWS:

As with all of these other campsites immediately in the village corporations, they are not permitted under the law, and they are not necessary as staging areas for access to public lands. Campsites can be provided on public land in Sections (19), (20), (28), and (27), T 12S R 75W.

6) TWO ACRE SITE - UPPER GOODNEWS RIVER:

This campsite is another example of BLM's extravagance and unfairness to the native people. The campsite is located within one-half mile of public lands in a northerly direction, and approximately three and one-half miles in an easterly direction, and yet it is stated "this is necessary to facilitate the public access to public lands". A clear misrepresentation.

All of these campsites, (6), (7) and (8) on the Goodnews River are absolutely unnecessary and unlawful. One can travel by boat from the mouth of Goodnews River all the way up to and through the last of the selected areas in Section (24) T 10S R 71W in one day. These one and two acre campsites in the most significant and important lands of the native people, is simply one way of giving with one hand and taking away with the other. The native community will simply not tolerate these

inholdings on these important rivers.

6a) SHORT PROPOSED TRAIL - UPPER GOODNEWS RIVER:

As with Campsite (6), this proposed trail is absolutely unnecessary since access is given to public land three miles to the west on Goodnews River.

7) CAMPSITE - GOODNEWS RIVER:

See Number (6) above.

8) CAMPSITE - GOODNEWS RIVER AND MIDDLE FORK RIVER:

Same comments as with regard to Campsites (7) and (6) above. We note BLM's caution with this particular campsite by stating "actual location is dependant upon disposition of pending native allotments in the vicinity. The site will be located so as to avoid being placed on an approved allotment." One wonders what BLM has in mind when using this language for this particular campsite, but ignores the same language with regard to all other campsites. Most of the river banks in the vicinities around the native village corporations are simply covered by native allotment applications.

9) TRAIL BETWEEN GOODNEWS AND TOGIK:

Transportation between these two village corporations is available on the middle fork of the Goodnews River.

10) BUSH LINE EASEMENT:

See the comments above regarding the objections to the marine easements.

11) CAMPSITE EASEMENT - GOODNEWS RIVER:

See the objections to the same campsites for (6), (7), and (8) above.

12) PROPOSED ACCESS TRAIL OFF WHATTAMUSE EASEMENT:

This proposed trail is objected to. Access is already available to public lands off of Identification Numbers (2) and (3).

13) CONTINUOUS STREAMSIDE EASEMENT - GOODNEWS RIVER:

As with all of the other continuous streamside identifications, the village corporations strongly object to this particular designation.

14) ACCESS TRAIL BETWEEN GOODNEWS AND PLATINUM:

See the proposed modifications for this trail on the Exhibit. The trail is marked with a star.

15) STREAMSIDE EASEMENT - MIDDLE FORK OF THE GOODNEWS RIVER:

The same objections to this easement are raised as those that were raised on the easement on the Goodnews River and all of the other rivers for Quinhagak and Eek.

16) and 17) FLOATING EASEMENTS FOR ENERGY AND SURVEY EASEMENTS:

See the above comments for Quinhagak and Eek.

PLATINUM

1) TRAIL BETWEEN PLATINUM AND QUINHAGAK:

See the comments above for the same trail.

2) TRAIL BETWEEN GOODNEWS AND QUINHAGAK:

See the comments above under Quinhagak with regard to this particular trail.

3) TRAIL BETWEEN GOODNEWS AND PLATINUM:

See the comments above for Goodnews Bay regarding this trail. If the trail is altered pursuant to the enclosed exhibit, the village corporation of Platinum has no objection.

4) CAMPSITE IN PLATINUM:

This campsite, as well as all others, is illegal. Even if these campsites were proper under the Land Claims Act, 43,000 square feet of land immediately adjacent to the village corporation is absolutely unnecessary for such "camping, staging and vehicle use". In addition, as with all of these campsites immediately in the village vicinity, they will be provided for, if at all, by the future city of Platinum, pursuant to Section 14(c) of the Act.

6) SIXTY FOOT ROAD BETWEEN PLATINUM AND GOODNEWS MINING CAMP:

BLM has only the authority to designate as easements existing roadways. Platinum has no objection whatsoever to the designation of the existing roadway as an easement, however, since the existing roadway is only fifteen feet wide, it strenuously objects to the imposition of a sixty foot roadway. The suggestion in BLM's letter that the sixty foot is an "existing road" is absolutely incorrect.

7) PROPOSED TRAIL EASEMENT ALONG KINEGANAK RIVER:

The proposed trail is absolutely not necessary for access to public lands. Access to public lands is available all along the coast and immediately off of Chagvan in T 16S R 74W.

8) COASTLINE EASEMENT:

The above objections are reiterated here.

9) PROPOSED TRAIL FROM "THE NORTH SPIT TO TRAIL NUMBER ONE":

BLM seems to suggest that the Platinum people will seek to gain access to Trail Number (1) by crossing Goodnews Bay to reach the Spit. That assumption is incorrect, in fact, that access has never been attempted by the native people. It is, without question, extremely dangerous and is inadvisable. For that reason, they strongly object to that proposed trail.

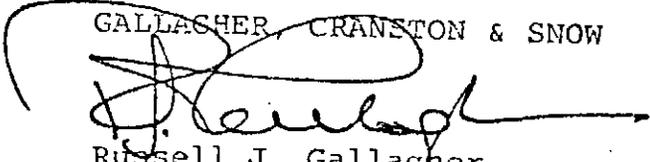
10) and 11) SURVEY AND FLOATING TRANSPORTATION
EASEMENTS:

The comments made above with regard to these easements are applicable here.

In closing, some general comments about the easement requests of BLM. No words can fully express the frustration of the Eskimo people when looking at these easement maps. After years and years of land claims struggles, and when they are so close to interim conveyances, they yet have to look at what the Secretary of the Interior is attempting to accomplish with the easement designations. Even if the Secretary of the Interior had the authority, which he does not, to impose these types of easements, the Eskimo people have asked over and over again why he would want to designate these easements. Ninety-nine percent of these supposed existing easements do not exist, and where some use has been made in some river areas, it has only been on a very sporadic basis, with no available statistics to support the use. In almost every instance, the claim by the Secretary that access to public lands is necessary through these native lands is simply an untruth. The truth of the matter is these easements up and down the rivers, and these campsites of an acre or more, are a serious, immediate, and in effect, an expropriation of native lands. To place these campsites and streamside easements in the very heart of the Eskimo lands is in truth, to invite hard and bitter feelings between the users of the land. You cannot expect the Eskimo community to sit idly by year after year, and season after season, and watch non-native hunters and fishermen tramping upon their grounds and taking their livelihood away. If that type of abuse of the lands and the fish and game are to be permitted by the government, please let it happen only on public lands, and not on those finally given back to the native people.

Sincerely yours,

GALLASHER, CRANSTON & SNOW



Russell J. Gallagher

APR 4 1978

To
Hoskinson

SD

In Reply Refer To:
2650.58 (932)
F 14862 EE

Final Easements for the Village
of Goodnews Bay

Chief, Division of Technical Services (941)

The recommendations of the Land Use Planning Commission contained no changes from the Notice of Proposed Easements for the lands selected by the village of Goodnews Bay. Therefore, no second easement staff meeting was held. My decision is to have the following easements included in the conveyance to Goodnews Bay.

E.I.N.

DESCRIPTION

1 C3, C4, D1, D9

An easement for an existing access trail twenty-five (25) feet in width from Goodnews Bay village westerly to public lands then northerly to Quinhagak. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.

Discussion:

Reservation of this winter trail easement is necessary to assure continued access to public lands and resources. Two areas of public lands are serviced by this trail. It also is an existing travel route between the villages of Goodnews Bay and Quinhagak to the northwest, with connecting access to Platinum. The easement management program will need to properly consider the concern for the waterfowl nesting and breeding areas along the coastal sections of this trail. Formerly, the trail had been used as the dogsled mail route. Fuel supplies have also been moved over the route from Platinum to Quinhagak. This trail was reduced from fifty (50) feet to twenty-five (25) feet in width.

Goodnews River System
Interim Summary Report
Attachment 6

2 C5, M

An easement for an existing access trail twenty-five (25) feet in width from trail easement #1 in Sec. 29, T. 10 S., R. 75 W., SM., southeasterly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.

Discussion:

Reservation of this trail easement is necessary to assure continued public access for intervillage travel and access to public land. In connection with trail #2 on the Platinum selection, this trail provides an inland route for travel between Quinhagak and Goodnews Bay village. During the winter, snowmobilers use this route, especially if coastal weather and trail conditions are less desirable.

3 C3, C4, D1, D9 An easement for an existing access trail fifty (50) feet in width from the waters of Goodnews Bay and public lands, northerly across village selected lands to public lands in T. 10 S., and T. 11 S., R. 74 W., SM. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.

Discussion: Reservation of this trail easement is necessary to assure continued public access to several areas of public lands separated by village selection. A Bureau of Mines report lists this general area as highly favorable for metallic and related non-metallic mineral deposits. For this reason and because the trail had been used to access mining areas about twenty years ago, the trail is being reserved at a fifty-foot width. This width allows travel by ATV's and four-wheel drive vehicles used in mining and mineral exploration.

4 C3, C4, D1, D9 An easement for an existing access trail fifty (50) feet in width from Goodnews Bay village northeasterly generally paralleling the Goodnews River to public land in Sec. 16, T. 10 S., R. 71 W., SM. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.

Discussion: This overland, winter route has been used in the past to haul supplies to the Wattamuse Mining camp on public lands north of the village selection. Since these public lands have a known mineral potential, this trail is being reserved at fifty feet to allow use by ATV's and four-wheel drives used in mining and exploration activities. Reservation of this easement is necessary to assure public access between the waters of Goodnews Bay and public lands which have known mineral resources.

6 C4, D9 A two (2) acre site easement upland of the ordinary high water mark in Sec. 21, T. 10 S., R. 71 W., SM., on the right bank of the Goodnews River. The site is for camping, staging, and vehicle use.

Discussion: Reservation of this trailhead site easement is necessary to facilitate access to public land. The Goodnews River is determined to be navigable based on travel, trade, and commerce. Those persons using the river will need an off-loading point from which travel will proceed to public land. The two-acre

size of this site will accommodate such off-loading of equipment and supplies. It will also allow for overnight camping, boat moorage, and temporary storage of supplies and equipment.

6a C4

An easement for a proposed access trail fifty (50) feet in width from site easement #6 and the Goodnews River, northerly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.

Discussion:

Reservation of this trail easement is necessary to provide access between the Goodnews River (from site #6) and public lands. The fifty-foot width will allow travel by ATV's and four-wheel drive vehicles used in mining and exploration activities. On public land, this trail joins trail easement #4 which accesses the Wattamuse Mining area.

8 C4, C6

A one (1) acre site easement upland of the ordinary high water mark in Sec. 18, T. 12 S., R. 72 W., SM., on the right bank of the Goodnews River at its confluence with the Middle Fork River. The site is for camping, staging, and vehicle use.

Discussion:

This site is located to facilitate travel along the Goodnews River and trail easement #9. The exact location of the site will need to be carefully considered to avoid possible conflict with Native allotments. At the site, space will be provided for overnight camping, boat moorage, off-loading, and temporary storage of equipment.

9 C3, D1, D9

An easement for an existing access trail twenty-five (25) feet in width from Goodnews Bay village, easterly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.

Discussion:

Reservation of this trail easement is necessary to assure continued public use of this access route between the village of Goodnews Bay and public lands to the east. In 1919 mail was delivered, on a monthly basis, over this trail during the winter. Essentially, the trail will be limited to winter use. This width allows travel by foot, dogsled, pack animals, snowmachines, and other small vehicles.

10 D1

A continuous linear easement twenty-five (25) feet in width upland of and parallel to the mean high tide line in order to provide access to and along the marine coastline and use of such shore for purposes such as beaching of watercraft or aircraft, travel along the shore, recreation, and other similar uses. Deviations from the waterline are permitted when specific conditions so require, e.g., impassable topography or waterfront obstruction. This easement is subject to the right of the owner of the servient estate to build upon such easement a facility for public or private purposes, such right to be exercised reasonably and without undue or unnecessary interference with or obstruction of the easement. When access along the marine coastline easement is to be obstructed, the owner of the servient estate will be obligated to convey to the United States an acceptable alternate access route, at no cost to the United States, prior to the creation of such obstruction.

Discussion: Standard coastline easement.

11 C5

A one (1) acre site easement upland of the ordinary high water mark in Sec. 2, T. 11 S., R. 72 W., SM., on the left bank of the Goodnews River. The site is for camping, staging, and vehicle use.

Discussion: Reservation of this site easement is necessary to facilitate access to public lands. The site serves as a trailhead to trail easement #11a which provides access to public lands to the east. Travelers using the river as a travel route to public lands to the north, might also use this site as an overnight camping area. At the site, space will be provided for boat moorage, camping, and temporary storage of supplies.

11a C5

An easement for a proposed access trail twenty-five (25) feet in width from the Goodnews River and site easement #11 easterly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.

Discussion: Reservation of this trail easement is necessary to provide access to public lands. From site easement #11 and the Goodnews River, the distance to these public lands is only about one-half mile. Persons using this trail will be allowed to travel by foot, dogsled, pack animals, snowmachine, or other small vehicles.

12 C5

An easement for a proposed access trail twenty-five (25) feet in width from trail #4 in Sec. 3, T. 12 S., R. 73 W., SM., westerly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.

Discussion:

This trail provides access to a strip of public lands surrounded on three sides by village selected lands. Because of rough topography it is logical to come in from this direction rather than from the south or west. The width of this trail allows travel by foot, dogsled, pack animal, snowmachine, and other small vehicles.

13 D1, L

A streamside easement twenty-five (25) feet in width upland of and parallel to the ordinary high water mark on all banks of the navigable Goodnews River through the selection area. Purpose is to provide for public use of waters having highly significant present recreational use.

Discussion:

The Goodnews River has a history of use for travel, trade, and commerce. It was therefore designated as a navigable river. Some of the earlier use of the river involved the movement of supplies to the Wattamuse Mining area. In 1975, it was floated as part of the Alaska Department of Fish and Game stream survey. Reportedly, recreationists use the river quite often. Continued use of the river is necessary for recreational purposes as well as an access route to public lands having highly favorable mineral deposits. In connection with overland trails, the river provides access to other areas of public land as well.

14 C5

An easement for an existing access trail twenty-five (25) feet in width from trail easement #9 in Sec. 17, T. 12 S., R. 72 W., SM., southerly to public lands and trail #3 on the Platinum selection. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.

Discussion:

Reservation of this trail easement is necessary to assure continued public travel between the villages of Goodnews Bay and Platinum as well as to provide access to public lands. The width of this trail allows travel by foot, dogsled, pack animal, snow-machine, and other small vehicles.

15 DL, L

A streamside easement twenty-five (25) feet in width upland of and parallel to the ordinary high water mark on all banks and an easement on the entire bed of the Middle Fork River through the selection area. Purpose is to provide for public use of waters having highly significant present recreational use.

Discussion:

This river has good runs of chum salmon, red salmon, and arctic char. In addition to subsistence fishing by regional residents, the river attracts sportfishermen during periods when the salmon are running. This easement will provide space for foot travel, boat docking, and other uses associated with travel along the river.

16 C

The right of the United States to enter upon the lands herein granted for cadastral, geodatic, or other survey purposes is reserved, together with the right to do all things necessary in connection therewith.

Discussion:

Standard survey easement.

17 C

Easements for the transportation of energy, fuel, and natural resources which are the property of the United States or which are intended for delivery to the United States or which are produced by the United States. These easements also include the right to build any related facilities necessary for the exercise of the right to transport energy, fuel, and natural resources, including those related facilities necessary during periods of planning, locating, constructing, operating, maintaining, or terminating transportation systems. The specific location of these easements shall be determined only after consultation with the owner of the servient estate. Whenever the use of such easement will require removal or relocation of any structure owned or authorized by the owner of the servient estate, such use shall not be initiated without the consent of the owner of such improvement; provided, however, that the United States may exercise the right of eminent domain if such consent is not given. Only those portions of these easements that are actually in use or that are expressly authorized on March 3, 1996, shall continue to be in force.

Discussion:

Standard transportation easement.

In addition to the above easements, the conveyance documents will contain periodic coastline easements as required by the Calista Corporation-Department of Interior easement agreement. These easements have not been identified by the Anchorage District Office as of this time but will be identified and included in the conveyance documents in accordance with the terms of the agreement.

After a thorough review of all recommendations, the following easements were deleted from the original Notice of Proposed Easements:

E. I. N.

DISCUSSION

5 C4, D9

This one (1) acre site easement, located near the village, has been deleted. Public lands are available on the shore of Goodnews Bay about five miles to the west and site easement #8 is located about three miles to the east.

7 C4, C6

This one (1) acre site easement in Sec. 21, T. 11 S., R. 72 W., SM., on the Goodnews River, has been deleted. It is approximately ten river miles between site easement #8 and #11; therefore, it is felt that this site (#7) which is located between these two sites, is unnecessary.

/s/ Curtis V. McVee

cc:

DM-A (Q10)

**Goodnews River System
Interim Summary Report
Attachment 7**

2651/75.4 (018
F-14862-EE

From: Realty Specialist, McGrath Resource Area
Thru: Area Manager, McGrath Resource Area *J. Waller 12/21/79*
Thru: District Manager, Anchorage District Office *R. Mueller 12/21/79*
To: SD (963)
Subject: Transmittal of Draft SD Memo of Section 17(b) Easement
Recommendations Conformed to the "New Regulations"

Enclosed herewith is the Draft SD memo for Kiutsarak,
Inc. The easement recommendations have been conformed to
the new regulations during the easement conformance
meeting of November 7, 1979.

Clifford D. Ellis

MemorandumDEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENTIN REPLY REFER TO:
2650.47 (018)
F-14862-EE

TO : Chief, Division of ANCSA Operations Date:
(960)
FROM : SD
SUBJECT: Final Easements for the Village of Goodnews Bay

*District's
Recommendations*

The easement staff met on November 7, 1979, to conform the final easement recommendations and consider major waterway and navigability recommendations for lands selected by the village of Goodnews Bay. Of those recommendations, my decision is as follows:

MAJOR WATERWAYS:

The Goodnews River was the only water body determined to be major. It receives significant use today as a travel route to public land.

NAVIGABILITY:

The Goodnews River and its tributary, Slate Creek, were determined navigable through the selection area. The former Wattamuse mining area had used these waterways to obtain supplies by boat. The Goodnews River is considered susceptible for travel, trade, and commerce eastward through the selection area. All tidal influenced are also considered navigable.

ALLOWABLE USES:

All easements are subject to applicable Federal, State, or municipal corporation regulation. The following is a listing of uses allowed for each type of easement identified. Uses which are not specifically listed are prohibited.

25 Foot Trail - The uses allowed on a twenty-five (25) foot wide trail easement are: travel by foot, dogsled, animals, snowmobiles, two and three-wheel vehicles, and small all-terrain vehicles (less than 3,000 lbs Gross Vehicle Weight (GVW)).

50 Foot Trail - The uses allowed on a fifty (50) foot wide trail easement are: travel by foot, dogsled, animals, snowmobiles, two and three-wheel vehicles, small and large all-terrain vehicles, track vehicles and four-wheel drive vehicles.

One Acre Site - The uses allowed for a site easement are: vehicle parking (e.g., aircraft, boats, ATV's, snowmobiles, cars, trucks), temporary camping, and loading or unloading. Temporary camping, loading, or unloading shall be limited to 24 hours.

EASEMENTS TO BE RESERVED:

- a. (EIN 1 C3, C4, C5, D1, D9) An easement for an existing access trail twenty-five (25) feet in width from Section 5, T. 10 S., R. 75 W., Seward Meridian, southerly and easterly past the village of Goodnews and on to public lands beyond the east boundary of Section 12, T. 12 S., R. 72 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use will be limited to winter use.

Discussion:

The coastal trail, formerly EIN 1, has been dropped in favor of this currently

used, more direct route. The EIN 2 trail designation has then been incorporated into the larger part of EIN 1 along with EIN 9 which had described the trail leading east toward Togiak from Goodnews. This inland route was identified by the villagers as the more regularly used route. This trail provides access northerly to Quinhagak and public lands. The season of use will be limited to winter use.

- b. (EIN 3 C3, C4, D1, D9) An easement for an existing access trail fifty (50) feet in width northerly from the shore of Goodnews Bay beginning at the west boundary of Sec. 8, T. 12 S., R. 74 W., Seward Meridian, northerly through the selection to public lands. The uses allowed are those listed above for a fifty (50) foot wide trail easement.

Discussion:

Reservation of this trail easement is necessary to assure continued public

access to public lands separated by village selection. There are 19 placer mining claims located within a four township area which this trail provides access to (Townships 7 and 8 S., Ranges 71 and 72 W., Seward Meridian). A Bureau of Mines report lists this general area as highly favorable for metallic and nonmetallic mineral deposits. This trail is needed for access to this mineralized area as well as general public access to public lands. Therefore, this mining trail is reserved at a fifty foot width.

- c. (EIN 4 C3, C4, D1, D9) An easement for an existing access trail fifty (50) feet in width from the village of Goodnews in Sec. 21, T. 12 S., R. 73 W., Seward Meridian, northeasterly, generally paralleling the Goodnews River, through selected land to public lands. The uses allowed are those listed above for a fifty (50) foot wide trail easement.

Discussion:

This overland route has been used in the past to haul supplies to the Wattamuse mining camp on public lands north of the village selection. Since these public lands have active mineral claims with good potential. Reservation of this easement is necessary to assure public access between the waters of Goodnews Bay and public lands.

- d. (EIN 8 C4, C6) A one (1) acre site easement upland of the ordinary high water mark in Sec. 18, T. 12 S., R. 72 W., Seward Meridian, on the right bank of the Goodnews River at its confluence with the Middle Fork River. The uses allowed are those listed above for a one (1) acre site.

Discussion:

This site is necessary to facilitate public access to public lands. This site serves as a trailhead for the Goodnews-Platinum trail, EIN 14 C5, which crosses

isolated public land to the south. It is also located on trail EIN 1 C3, D1, D9 which provides access to public lands to the east.

- e. (EIN 11 C5) A one (1) acre site easement upland of the ordinary high water mark in Sec. 2, T. 11 S., R. 72 W., Seward Meridian, on the left bank of the Goodnews River. The uses allowed are those listed above for a one (1) acre site.

Discussion:

Reservation of this site easement is necessary to facilitate access to public lands. The site serves as a trailhead to trail EIN 11a C5 which provides access to public lands to the east. Travelers using the river as a travel route to public lands to the north, might also use this site as an overnight camping area. If future "over selections" in T. 10 S., R. 72 W., Seward Meridian, are not processed, this easement will not be needed and will be dropped.

- f. (EIN 11a C5) An easement for a proposed access trail twenty-five (25) feet in width from site EIN 11 C5 in Sec. 2, T. 11 S., R. 72 W., Seward Meridian, easterly to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

Discussion:

Reservation of this trail easement is necessary to provide access to public lands. From site Ein 11 C5 and the Goodnews River, the distance to the closest public lands is less than $\frac{1}{2}$ mile. If survey proves public land already lies along the river, this easement will be dropped. Also, if over selections in T. 10 S., R. 72 W., Seward Meridian, are not processed, then this easement will not be needed.

- g. (EIN 12 C5) an easement for an existing access trail twenty-five (25) feet in width from trail EIN 4 C3, C4, D1, D9 in

Sec. 3, T. 12 S., R. 73 W., Seward Meridian, westerly to public lands. The uses allowed are those listed above for a twenty-five (25) foot trail easement.

Discussion:

This trail provides access to a strip of public lands isolated by the village selection and topography. Because of the topography, the best approach is from the east rather than from the southwest.

- h. (EIN 14 C5) An easement for an existing access trail twenty-five (25) feet in width from trail EIN 1 C3, D1, D9 in Sec. 18, T. 12 S., R. 72 W., Seward Meridian, southerly to public lands and on to Platinum. The uses allowed are those listed above for a twenty-five (25) foot trail easement.

Discussion:

Reservation of this trail easement is necessary to assure continued public travel between the villages of Goodnews

and Platinum as well as to provide access to public lands. This trail provides an alternate overland route between Platinum and Goodnews when conditions prevent safe travel on Goodnews Bay.

The following easements were considered but not recommended:

- a. (EIN 2 C5, M) An easement for an existing access trail twenty-five (25) feet in width from Sec. 29, T. 10 S, R. 75 W., Seward Meridian, southeasterly to public land.

Discussion:

This trail was made a part of trail EIN 1 C3, D1, D9 after the coastal portion of the latter was dropped.

- b. (EIN 9 C3, D1, D9) An easement for an existing access trail twenty-five (25) feet in width from Goodnews village, easterly to public lands.

Discussion:

This trail was combined with trail EIN 1 C3, D1, D9 and is a natural extension of the intervillage travel route.

- c. (10 D1) A continuous linear easement twenty-five (25) feet in width upland of and parallel to the mean high tide line in order to provide access to and along the marine coastline and use of such shore for purposes such as beaching of watercraft or aircraft, travel along the shore, recreation, and other similar uses. Deviations from the waterline are permitted when specific conditions so require, e.g., impassable topography or waterfront obstruction. This easement is subject to the right of the owner of the servient estate to build upon such easement a facility for public or private purposes, such right to be exercised reasonably and without undue or unnecessary interference with or obstruction of the easement. When access along the marine coastline easement is to be obstructed, the owner

of the servient estate will be obligated to convey to the United States an acceptable alternate access route, at no cost to the United States, prior to the creation of such obstruction.

Discussion:

It does not meet the requirements of the new easement regulations.

- d. (EIN 13 D1, L) A streamside easement twenty-five (25) feet in width upland of and parallel to the ordinary high water mark on all banks of the navigable Goodnews River through the selection area. Purpose is to provide for public use of waters having highly significant present recreational use.

Discussion:

It does not meet the requirements of the new easement regulations. It is recreational in nature.

- e. (EIN 15, D1, L) A streamside easement twenty-five (25) feet in width upland of and parallel to the ordinary high water mark on all banks and an easement on the entire bed of the Middle Fork River through the selection area. Purpose is to provide for public use of waters having highly significant present recreational use.

Discussion:

It does not meet the requirements of the new easement regulations. It is recreational in nature.

- f. (EIN 16 C) The right of the United States to enter upon the lands herein granted for cadastral, geodetic, or other survey purposes is reserved, together with the right to do all things necessary in connection therewith.

Discussion:

It does not meet the requirements of the new easement regulations.

- g. (EIN 17 C) Easements for the transportation of energy, fuel, and natural resources which are the property of the United States or which are produced by the United States. These easements also include the right to build any related facilities necessary for the exercise of the right to transport energy, fuel, and natural resources, including those related facilities necessary during period of planning, locating, constructing, operating, maintaining, or terminating transportation systems. The specific location of these easements shall be determined only after consultation with the owner of the servient estate, such use shall not be initiated without the consent of the owner of such improvement; provided, however, that the United States may exercise the right of eminent domain if such consent is not given. Only those portions of these easements that are actually in use or that are expressly authorized on March 3, 1966, shall continue to be in force.

Discussion:

It does not meet the requirements of the new easement regulations.

The following easements were not considered because they were outside the subject area of conveyance:

- a. (EIN 6 C4, D9) A two (2) acre site easement upland of the ordinary high water mark in Sec. 21, T. 10 S., R. 71 W., Seward Meridian, on the right bank of the Goodnews River.

Discussion:

This easement is located on lands outside the selection area.

- b. (EIN 6a C4) An easement for a proposed access trail fifty (50) feet in width from site EIN 6 C4, D9 and the Goodnews River, northerly to public lands.

Discussion:

This easement is located on lands outside the selection area.

2-Way Memo

Subject: *Tidal Influence/Navigability
Goodnews Bay
• F-14862-EE*

To: *Resources (941)
Sherm Berg*

INSTRUCTIONS

Use routing symbols whenever possible.

SENDER (Originator of message):
Use brief, informal language.
Conserve space.
Forward original and one copy.

RECEIVER (Replier to message):
Reply below the message, keep one copy, return one copy.

DATE OF MESSAGE	ROUTING SYMBOL
<i>12/30/81</i>	<i>963</i>
SIGNATURE OF ORIGINATOR	
<i>M. Ward</i>	
TITLE OF ORIGINATOR	
<i>Realty Spec.</i>	

INITIAL MESSAGE

Attached is the file for Goodnews Bay. Please review & provide any information you have on tidal influence & navigability.

**Goodnews River System
Interim Summary Report
Attachment 8**

*Thank you!
Michelle*

REPLY MESSAGE

We have no additional data to change the previous recommendations made as to navigability for this section. Tidal influence will be determined at time of survey.

From: *Shirley Bennett
Actg
12/30/81*

DATE OF REPLY	ROUTING
<i>12/30/81</i>	
SIGNATURE OF REPLIER	
<i>Sherm Berg</i>	
TITLE OF REPLIER	
<i>Realty Specialist</i>	

**Goodnews River System
Interim Summary Report
Attachment 9**

F-14862-EE (75.4)
F-14862-A (2651)
(963)

JUL 29 1982

Memorandum

To: Chief, Division of ANCSA and State Conveyances (960)
From: SD
Subject: Final Easements for the Village of Goodnews Bay

Following are the final easement, major waterway, tidal influence, and navigability recommendations for lands selected by the village of Goodnews Bay. Of those recommendations, my decision is as follows.

MAJOR WATERWAYS:

The Goodnews River was the only water body determined to be major. It receives significant use today as a travel route to public land.

TIDAL INFLUENCE:

Limits of tidal influence for water bodies within the lands to be conveyed will be determined at the time of survey.

NAVIGABILITY:

The Goodnews River was determined to be navigable throughout the selection area. The former Wattamuse mining area used the

Goodnews River and Slate Creek (northeast of the notice area obtain supplies by boat. The Goodnews River is considered navigable from its mouth easterly throughout the selection are

ALLOWABLE USES:

All easements are subject to applicable Federal, State, or Municipal corporation regulation. The following is a listing of uses allowed for each type of easement identified. Uses which are not specifically listed are prohibited.

25 Foot Trail - The uses allowed on a twenty-five (25) foot wide trail easement are: travel by foot, dogsleds, animals, snowmobiles, two- and three-wheel vehicles, and small all-terrain vehicles (ATV's) (less than 3,000 lbs. Gross Vehicle Weight (GVW)).

50 Foot Trail - The uses are: travel by foot, animals, snowmo'

vehicles, small and large all-terrain vehicles, track vehicles and four-wheel drive vehicles.

One Acre Site - The uses allowed for a one acre site easement are: vehicle parking (e.g., aircraft, boats, ATV's snowmobiles, cars, trucks), temporary camping, and loading or unloading.

Temporary camping, loading, or unloading shall be limited to 24 hours.

EASEMENTS TO BE RESERVED:

- a. (EIN 1 C3, C5, D1, D9, M) An easement for an existing access trail twenty-five (25) feet in width from Sec. 5, T. 10 S., R. 75 W., Seward Meridian, southerly and easterly to its junction with EIN 4 C3, C4, D1, D9 in Sec. 21, T. 12 S., R. 73 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

Discussion:

The coastal trail, formerly EIN 1 C3, D1, D9, was not recommended in favor of this currently

used, more direct route. Trail EIN 2 C5, M has been incorporated into this trail. This inland route was identified by the villagers as the more regularly used route. This trail provides access northerly to Quinhagak and public lands. The season of use will be limited to winter.

- b. (EIN 9 C3, D1, D9) An easement for an existing access trail twenty-five (25) feet in width from Goodnews village, in Sec. 21, T. 12 S., R. 73 W., Seward Meridian, easterly to public land.

Discussion:

This trail easement is necessary to assure public access between the village of Goodnews and public lands to the east.

- c. (EIN 3 C3, C4, D1, D9) An easement for an existing access trail fifty (50) feet in width northerly from the shore of Goodnews Bay in Sec. 20, T. 12 S., R. 74 W., Seward Meridian, northerly through the selection area to public lands. The uses allowed are those listed above for a fifty (50) foot wide trail easement.

Discussion:

Reservation of this trail easement is necessary to assure continued public access to public lands separated by village selection. There are 19 placer mining claims located within a four township area which this trail provides access to (Tps. 7 and 8 S., Rs. 71 and 72 W., Seward Meridian). A Bureau of Mines report lists this general area as highly favorable for metallic and nonmetallic mineral deposits. This trail is needed for access to this mineralized area as well as general public access to public lands. The fifty (50) foot width will accommodate large ATV's and four-wheel drive vehicles used in mineral exploration and development.

- d. (EIN 4 C3, C4, D1, D9) An easement for an existing access trail fifty (50) feet in width from the village of Goodnews in Sec. 21, T. 12 S., R. 73 W., Seward Meridian, northeasterly, generally paralleling the Goodnews River, to public lands. The uses allowed are those listed above for a fifty (50) foot wide trail easement.

Discussion:

This overland route has been used in the past to haul supplies to the Wattamuse mining camp on public lands northeast of the village selection. These public lands have active mineral claims with good potential. Reservation of this easement is necessary to assure public access between the waters of Goodnews Bay and public lands. The fifty (50) foot width will accommodate large ATV's and four-wheel drive vehicles uses in mineral exploration and development.

- e. (EIN 8 C4, C6) A one (1) acre site easement upland of the ordinary high water mark on the right bank of the Goodnews River in Sec. 18, T. 12 S., R. 72 W., and Sec. 13, T. 12 S., R. 73 W., Seward Meridian, at its confluence with the Middle Fork of the Goodnews River. The uses allowed are those listed above for a one (1) acre site.

Discussion:

This site is necessary to facilitate access to public lands. This site

serves as a trailhead for the Goodnews-Platinum trail, EIN 14 C5, which accesses isolated public land to the south. It is also located on trail EIN 9 C3, D1, D9 which provides access to public lands to the east.

- f. (EIN 11 C5) A one (1) acre site easement upland of the ordinary high water mark in Sec. 2, T. 11 S., R. 72 W., Seward Meridian, on the left bank of the Goodnews River. The uses allowed are those listed above for a one (1) acre site.

Discussion:

Reservation of this site easement is necessary to facilitate access to public lands. The site serves as a trailhead to trail EIN 11a C5 which provides access to public lands to the east. Travelers using the river as a travel route to public lands to the north, might also use this site as an overnight camping area. If the selected land in T. 10 S., R. 72 W., Seward Meridian, is not conveyed, or if at time of survey it is determined that the river is located on public land, this easement will be relinquished.

- g. (EIN 11a C5) An easement for a proposed access trail twenty-five (25) feet in width from site EIN 11 C5 in Sec. 2, T. 11 S., R. 72 W., Seward Meridian, easterly to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

Discussion:

Reservation of this trail easement is necessary to provide access to public lands. From site EIN 11 C5 and the Goodnews River, the distance to the closest public lands is less than $\frac{1}{2}$ mile. If the land selected in T. 10 S., R. 72 W., Seward Meridian, is not conveyed, or if at the time of survey it is determined that the river is located on public land, this easement will be relinquished.

- h. (EIN 12 C5) An easement for an existing access trail twenty-five (25) feet in width from trail EIN 4 C3, C4, D1, D9 in Sec. 3, T. 12 S., R. 73 W., Seward Meridian, westerly to public lands. The uses allowed are those listed above for a twenty-five (25) foot trail easement.

Discussion:

This trail provides access to a strip of public lands isolated by the village selection and topography. Because of the topography, the most feasible route is from the east rather than from the southwest.

- i. (EIN 14 C5) An easement for an existing access trail twenty-five (25) feet in width from trail EIN 9 C3, D1, D9 in Sec. 18, T. 12 S., R. 72 W., Seward Meridian, southerly to public lands thence southwesterly through the selection. The uses allowed are those listed above for a twenty-five (25) foot trail easement.

Discussion:

Reservation of this trail easement is necessary to assure continued public access between the villages of Goodnews and Platinum as well as to provide access to public lands. This trail provides an alternate overland route between Platinum and Goodnews when conditions prevent safe travel on Goodnews Bay.

The following easements were considered but not recommended:

- a. (EIN 2 C5, M) An easement for an existing access trail twenty-five (25) feet in width from Sec. 29, T. 10 S., R. 75 W., Seward Meridian, southeasterly to public land.

Discussion:

This trail was made a part of trail EIN 1 C3, C5, D1, D9, M after the coastal portion of the latter was deleted.

- b. (10 D1) A continuous linear easement twenty-five (25) feet in width upland of and parallel to the mean high tide line in order to provide access to and along the marine coastline and use of such shore for purposes such as beaching of watercraft or aircraft, travel along the shore, recreation, and other similar uses.

Discussion:

This easement does not meet the requirements of the new easement regulations.

- c. (EIN 13 D1, L) A streamside easement twenty-five (25) feet in width upland of and parallel to the ordinary high water mark on all banks of the navigable Goodnews River through the selection area.

Discussion:

This easement does not meet the requirements of the new easement regulations. It is recreational in nature.

- d. (EIN 15 D1, L) A streamside easement twenty-five (25) feet in width upland of and parallel to the ordinary high water mark on all banks and an easement on the entire bed of the Middle Fork Goodnews River through the selection area.

Discussion:

This easment does not meet the requirements of the new easement regulations. It is recreational in nature.

- e. (EIN 16 C) The right of the United States to enter upon the lands herein granted for cadastral, geodetic, or other

survey purposes is reserved, together with the right to do all things necessary in connection therewith.

Discussion:

This easement does not meet the requirements of the new easement regulations.

- f. (EIN 17 C) Easements for the transportation of energy, fuel, and natural resources which are the property of the United States or which are produced by the United States. These easements also include the right to build any related facilities necessary for the exercise of the right to transport energy, fuel, and natural resources, including those related facilities necessary during period of planning, locating, constructing, operating, maintaining, or terminating transportation systems.

Discussion:

This easement does not meet the requirements of the new easement regulations.

The following easements were not considered because they were outside the subject area of conveyance:

- a. (EIN 6 C4, D9) A two (2) acre site easement upland of the ordinary high water mark in Sec. 21, T. 10 S., R. 71 W., Seward Meridian, on the right bank of the Goodnews River.

Discussion:

This easement is located on lands outside the selection area.

- b. (EIN 6a C4) An easement for a proposed access trail fifty (50) feet in width from site EIN 6 C4, D9 and the Goodnews River northerly to public lands.

Discussion:

This easement is located on lands outside the selection area.

963:MWard:dt:12/31/81
DEBB 12 T dt:1/05/82
dt:01/13/82

Calista Corporation

516 Denali Street, Anchorage, Alaska 99501 (907) 279-5516

October 29, 1982

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Mr. Robert Arnold
Assistant to the State Director
for Conveyance Management
Bureau of Land Management
701 "C" Street, Box 13
Anchorage, Alaska 99513

**Goodnews River System
Interim Summary Report
Attachment 10**

Dear Bob:

Reference is made to a letter to you from Jim Culbertson from the State of Alaska, Department of Natural Resources, addressing ANCSA 17(b) easements for lands being considered for conveyance to Kuitsarak, Incorporated of Goodnews Bay.

For starters, we vehemently oppose the State-DNR's proposed one acre site easements on the Goodnews River and its tributary, the Middle Fork. Rules and regulations subsection 2650.7 in part says: Scenic easements or easements for recreation on lands conveyed pursuant to the Act shall not be reserved . . . Furthermore, we feel that if the recreational users of the Goodnews River and its tributary wanted to insure that their continued activity not be jeopardized, they should have participated at the village land conveyance meeting and submitted their comments.

In reference to EIN 3, the delegates for Kuitsarak, Incorporated informed BLM, that as indicated and proposed by BLM and the State, this easement was overgrown with brushes and made it unsuitable for travel. One time use does not justify the reservation of an easement and the delegates for Kuitsarak, Inc. opposed the reservation of this easement because it was not presently utilized. We disagree with the State's assertion concerning EIN 4, because the delegates for Kuitsarak, Inc. claimed that the

proposed route was unsuitable for travel by any means. Furthermore, where access is possible by a navigable body of water, in this case the Goodnews River, reserving this easement would be duplicating access to basically the same area. EIN 14 was not proposed or even suggested by Kuitsarak delegates because they utilized the Bay for intervillage travel to Platinum and noted that no easement should be reserved on their lands across from the village.

Lastly, we feel that the State of Alaska, Department of Natural Resources, is totally inept to propose easements utilized by a specific user group on corporate lands. We would recommend that you conform to the existing regulations pertaining to the land conveyances to village corporations regarding the ANCSA 17(b) easements.

If you should have any questions, please do not hesitate to contact our office at 279-5516, extension 228.

Sincerely,

CALISTA CORPORATION

Felix P. Hess

Felix P. Hess
Land Planner
Land & Natural Resources

NOV 2 8 04 AM '82
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FPH:slb

cc Joseph Martin
Kuitsarak, Inc.
Goodnews Bay, Alaska 99620

Jim Culbertson
Natural Resource Offices
Alaska Department of
Natural Resources
555 Cordova Street
Pouch 7-005
Anchorage, Alaska 99510

*Revised
Seitz 1/18/83*

✓ Goodnews Bay-VS-83-0
F-14862-A (2651)
F-14862-EE (75.4)
(962)

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

JAN 18 1983

Mr. Joseph Martin
Kuitsaruk, Inc.
Goodnews Bay, Alaska 99620

**Goodnews River System
Interim Summary Report
Attachment 11**

Dear Mr. Martin:

Since the Village meeting of October 5, 1982, the Bureau of Land Management has made additional efforts to determine the extent of use of both the South and Middle Forks of the Goodnews River.

Written records reveal the use of the South Fork as an alternate inland waterway route. This route allowed travelers to avoid open water travel around Cape Newenham. In addition, exploration, mapping and mining activities have made use of the Goodnews River system and their tributaries as a means of access.

This additional information has persuaded us to make a determination that the above named rivers are navigable in the selected area and satisfy Federal criteria for a navigable determination.

Exploration, mapping and mining activities also lead to a navigable determination for Barnum Creek, a tributary to Goodnews River.

Since we wish to make a final determinations concerning these waters at an early date, I am asking that you provide any information you wish, within twenty (20) days of receipt of this letter. If we do not hear from you at the end of twenty (20) days, we will make this determination final.

Sincerely yours,

/s/ Gary K. Seitz

Gary Seitz
Chief, Navigability Section
Division of ANCSA
and State Conveyances

Enclosure:
maps (3)

cc:

Felix Hess
Calista Corporation
516 Denali Street
Anchorage, Alaska 99501
(w/maps)

Jim Culbertson
State of Alaska
Department of Natural Resources
Division of Research and Development
Pouch 7-005
Anchorage, Alaska 99510
(w/maps)

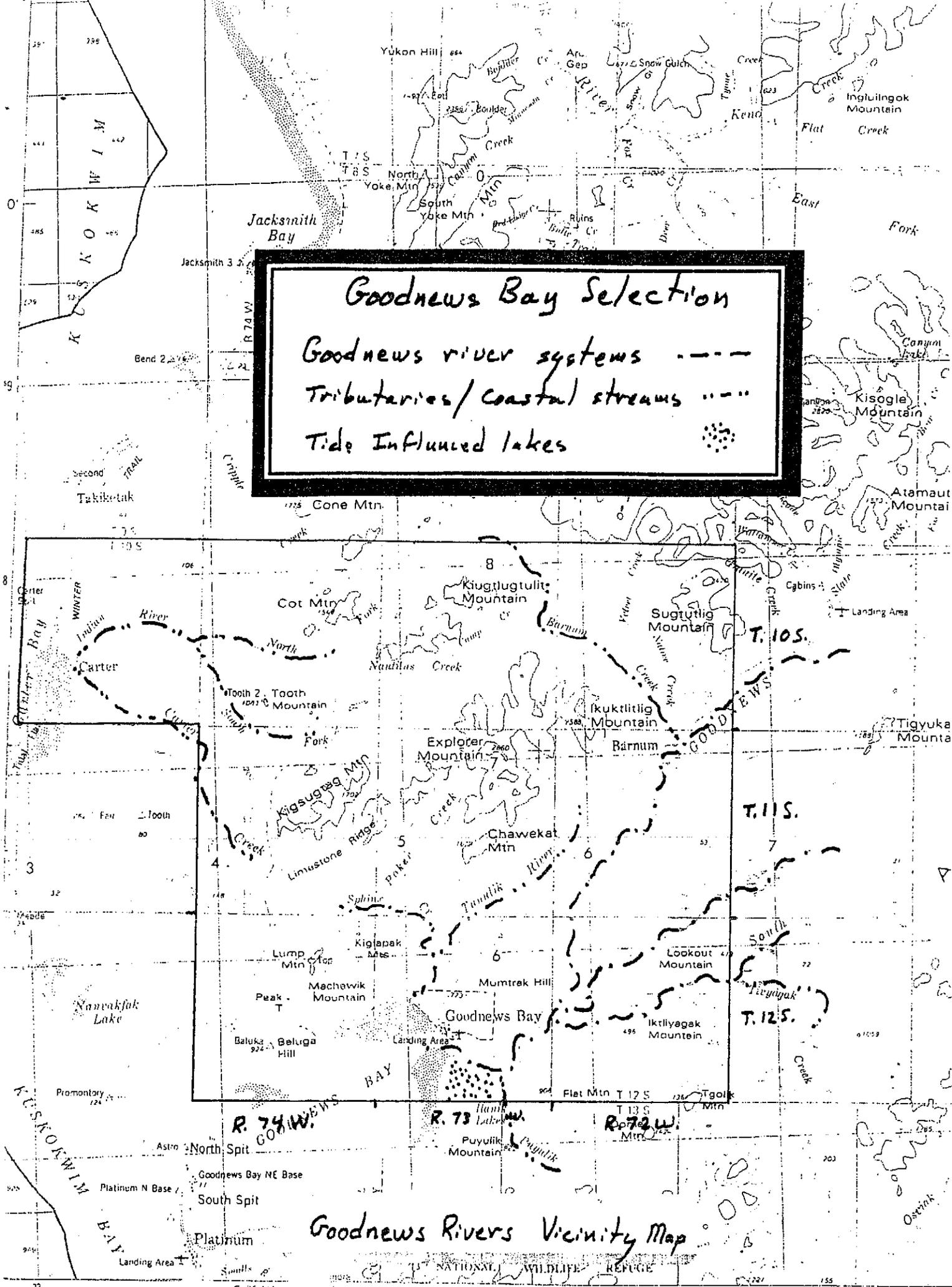
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Goodnews Bay Selection

Goodnews river systems - - - -

Tributaries/coastal streams - · - ·

Tide Influenced lakes ·····



Goodnews Rivers Vicinity Map

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

**Goodnews River System
Interim Summary Report
Attachment 12**

LAND REPORT TITLE PAGE

State Alaska	District Anchorage
County	Resource area McGrath
Type of Action Village Selection - Goodnews Bay	Serial Number F-14862-A
Applicant's name	Address (include zip code)

Date(s) of examination

LANDS INVOLVED

TOWNSHIP	RANGE	MERIDIAN	SECTION	SUBDIVISION	ACRES
- See attached report -					

Purpose of report

Navigability Determination

Prepared by <i>R. W. Kallenbach</i>	Title Realty Specialist	Date of report 2-23-83
----------------------------------------	----------------------------	---------------------------

The Branch of ANCSA Adjudication by memo, requested a navigability recommendation for ten townships vicinity of Goodnews and Kuskokwim Bays in southwest Alaska. A search of the master title plats, published records and oral interviews provided the necessary information for a navigability recommendation.

General Physical Description

The selected area (see attached land description) is contained in the "Yukon-Kuskokwim Delta" physiographical land feature. The delta is broken up with a series of southwest-northeast trending mountains. The Ahklun Mountains divides the drainage systems between Kuskokwim and Bristol Bays and encompasses the Goodnews River drainage.

The Goodnews river lies on the south limits of this delta. The river enters the Kuskokwim Bay on the north side of Cape Newenham. 1/

Included in this report are two other drainage systems both drain the west slopes of the Ahklun Mountains directly into the Kuskokwim Bay. The two streams, from south to north, are Carter creek and Indian River both enter Carter Bay and then the Kuskokwim.

The Goodnews river starts at the outlet of Goodnews Lake and at scale distance traverses 52 miles to Goodnews Bay. From the lake to Barnum Creek its a series of rapids and pools. From Barnum Creek to the Bay the river is slower than the above reach and easily traveled. 2/

Both the Middle Fork (30 miles) and the South Fork (22 miles) are similiar in character being a series of rapids and pools in the upper reaches and slower in the lower portions.

All three streams enter a lowlands that is marshy and flat as the Bay is approached. 2/ This lower area has has an area of tide influence, making boating easier going up stream during high water conditions. The other streams tributary to the Goodnews are generally short and rapid.

Those streams, named or unnamed, that enter the bay areas are generally short. Carter Creek about eleven miles long and Indian River about twelve miles long are both short coastal streams.

Land Status

Throughout the Village selected area allotments have been established or located along the Goodnews rivers. Along the South Fork allotments are only within the selected area. On both the Middle Fork and the main river, allotments have been located within and beyond the village selected area. In all cases the allottee claims fishing and berry picking as the reasons for use and occupancy of those tracts of land.

Use Data

Pre-1870, a subsistence use pattern of using both overland trails and down stream rafting was practiced. Caribou hunting in the hills north of Goodnews Bay followed this practice. By building rafts and floating downstream, meat was brought to the old village which was inland from the bay along the main river. 3/

Later activities, some associated with mining and others with trading patterns, caused the village to be relocated to the Bay. Subsequent exploration and missionary activities utilized local guides during their travels through the selected area. 4/ During this early time period travel along the coastline around Cape Newenham was risky and the people found alternate routes to by-pass the cape route. An inland waterway route of travel was used between Goodnews Bay and Togiak Bay. The route utilized the South Fork of Goodnews River, Tivyagak creek, a low overland pass, a chain of lakes and then Osviak River. From Osviak River a coastal route easterly to Togiak Bay was followed, this portion is protected by Hagemester Island. First recorded use of this alternate route was in 1884 by two Moravian missionaries and again in 1888 by the Warburton Pike expedition from Canada. 4/ 5/

During the early 1900's, while mining gold in the area, miners used poling boats and kayaks to transport supplies up Goodnews River. 4/ Mining took place on Barnum Creek, Wattamuse Creek and Bear Creek, all tributaries to the Goodnews River. During the 1930's heavier equipment utilized an overland trail to the mining sites. 3/

In 1919, a U.S.G.S. topographic survey party, headed by R.H. Sargeut, mapped an area that included the selected lands. 6/ The rivers were traveled with a 30-foot poling boat. A 2-horsepowered gasoline engine of the detachable hang-over type was included, with no mention of how it was utilized. The survey party mapped both topography and geology of the Goodnews Bay Region for an approximate 1,160 square miles or an area about 40 miles wide and 29 miles long.

Currently the local population uses larger power boats that allows them to travel around Cape Newenham to Togiak Bay. 7/ This has caused a decline in the use of the South Fork as a route of travel to Togiak Bay. Also travel up the main river channel to Barnum is easily accomplished with the larger power boats.

Fishing and berry picking activities are carried out along all three branches of the Goodnews river system. The fishing starts in the summer and continues into the fall time period with the use of set nets. In very early days a swing-net would have been used, requiring a kayak or canoe to pull one end of the net in a circular pattern to capture the fish. Local people have developed favorite areas where they currently fish or pick berries, and through custom they have developed into exclusive use areas.

These areas have been recognized by the federal government and land title has or will be transferred to the customary user. On both the main Goodnews River and the Middle Fork these use areas are numerous and have been established beyond the limits of this selected lands. Travel to these use areas is by boat.

Access throughout the area in the thaw season is by boat or floatplane, during the frozen season overland travel is the norm. River fishing also takes place during the frozen season with over ice travel to the selected sites.

Conclusions

The short coastal streams are generally boatable where there is tide water influence. This includes Puyulik Creek, Tunulik River, Sphinx Creek, Carter Creek and Indian River and unnamed sloughs tributary to the lower Goodnews river system.

The Ilanik lakes, along the south shore of Goodnews Bay, if subject to tide water influence are also boatable.

The Goodnews river system traverses a low swampy plain of sloughs and ponds that extends about 6 miles northeasterly from the Bay and varies from one to two miles wide. U.S.G.S. records indicate that the lower course of the Goodnews rivers are tidally influenced. 6/ I find that the interconnecting and deadend sloughs of this area associated with the South Fork, Middle Fork and main river are boatable.

Throughout the selected area the Goodnews river system, which includes the South Fork, Middle Fork and main river, are boatable in fact and use.

Barnum Creek, a northwest trending tributary to Goodnews River, appears to be physically capable of supporting travel by boats normally used in the area. From map studies, Barnum Creek is longer and slower than Wattamuse Creek which has written documentation of use. Mining activity took place on Barnum Creek. There is no written record how miners accessed the mines on Barnum Creek, assumption being that existing methods were used by moving supplies by poling boat or scows in the area as were used on adjacent streams. Barnum Creek joins the Goodnews River in section 3 of township 11 south, range 72 west, Seward Meridian or about 12 miles northeast of Goodnews Bay.

Recommendation

The following recommendation effect only the village selected area as described in case file AA-14862-A:

1. The following coastal streams should be determined navigable to the upper limits of tidal influence; actual survey will identify this upper limit:

<u>Waterbody</u>	<u>Apparent upper limits as shown on 63,360 series Maps</u>
Puyulik Creek	SM, T. 13 S., R. 74 W., sec. 1
Tunulik River	SM, T. 12 S., R. 73 W., sec. 3
Sphinx Creek	SM, T. 12 S., R. 73 W., sec. 5
Carter Creek	SM, T. 10 S., R. 75 W., sec. 35
Indian River	SM, T. 10 S., R. 75 W., sec. 14

2. The Ilanik Lakes, bounded by both the Bay and lower river, should be determined navigable to the upper limits of tidal influence.

Footnotes

1. Ref, U.S.G.S. Goodnews Bay, topographic map series, scale 1:250,000, 1979.
2. Colby, Merle
A Guide to Alaska: Last American Frontier.
New York: The MacMillian Co., 1942.
3. Oral Interview, December 21, 1982,
Robert Ackerman
Department of Anthropology
Washington State University
Pullman, WN., 99164-5044
4. Antonson, Jo and C. Michael Brown
Alaska's Kuskokwin Region: A History.
Bureau of Land Management, Anchorage, Alaska.
5. Pahlke, Loren G.
Water Body Use in the Western Bristol Bay Region
of Alaska. Anchorage: State of Alaska, Department of
Natural Resources. October 1980.
6. Harrington, George L.
Mineral Resources of the Goodnews Bay Region.
USGS Bulletin 714, Washington G.P.O. pp 207-211.
7. Oral Interview, February 18, 1983,
Joseph Martin
Kuitsaruk, Inc.
Goodnews Bay, Alaska 99620

Land Description for Goodnews Bay

Seward Meridian, Alaska (Unsurveyed)

T. 10 S., R. 72 W.

- Secs. 18 to 23, inclusive;
- Secs. 26 to 34, inclusive;
- Sec. 35, excluding Native allotment F-15601 and Native allotment litigation AA-37801 Parcel 4;
- Sec. 36, excluding Native allotments F-15605 Parcel B and F-18207 Parcel C.

Containing approximately 10,522 acres.

T. 11 S., R. 72 W.

- Sec. 2, excluding Native allotment F-15601 and Native allotment litigation AA-37801 Parcel 4;
- Sec. 3, excluding Native allotment F-13777 Parcel A and Native allotment litigation AA-37808 Parcel A;
- Secs. 4 to 9, inclusive;
- Sec. 10, excluding Native allotments F-13776 Parcel B and F-15844 Parcel B and Native allotment litigations AA-37800 Parcel 1 and AA-37808 Parcel A;
- Sec. 15, excluding Native allotment F-13767 Parcel B and Native allotment litigation AA-37800 Parcel 1;
- Sec. 16, excluding Native allotment F-13767 Parcel B and Native allotment litigation AA-37802 Parcel 4;
- Secs. 17 and 18;
- Sec. 19, excluding Native allotment F-15787;
- Sec. 20, excluding Native allotments F-15787 and F-18207 Parcel A;
- Sec. 21, excluding Native allotments F-13767 Parcel B and F-18211 Parcel A and Native allotment litigation AA-37802 Parcel 4;
- Sec. 22;
- Sec. 29, excluding Native allotments F-13759 Parcel A, F-15843, and F-15949 Parcel B;
- Sec. 30, excluding Native allotment F-15843;
- Sec. 31;
- Sec. 32, excluding Native allotments F-13777 Parcel B and F-13779 Parcel A.

Containing approximately 11,590 acres.

T. 12 S., R. 72 W.

- Sec. 2, excluding Native allotment F-13660;
- Sec. 3, excluding Native allotment litigation AA-37801 Parcel 3;
- Sec. 5, excluding Native allotments F-13758 Parcel A, F-13777 Parcel C, and F-13779 Parcel A;
- Sec. 6, excluding Native allotment F-13777 Parcel C;
- Sec. 7;
- Sec. 8, excluding Native allotment F-13758 Parcel A;
- Sec. 9, excluding Native allotment F-18369 Parcel B;
- Sec. 10, excluding Native allotment F-18369 Parcel B and Native allotment litigation AA-37801 Parcel 3;

Sec. 16;
Sec. 17, excluding Native allotments F-13776 Parcel A and F-15624 Parcel B and Native allotment litigation AA-37800 Parcel 3;
Sec. 18;
Sec. 19, excluding Native allotments F-13758 Parcel B and F-13775 Parcel B;
Sec. 20, excluding Native allotments F-13776 Parcel A and F-15844 Parcel A and Native allotment litigation AA-37800 Parcel 3;
Sec. 21.

Containing approximately 7,562 acres.

T. 10 S., R. 73 W.
Secs. 13, 14, and 15;
Secs. 22 to 27, inclusive;
Secs. 34, 35, and 36.

Containing approximately 7,680 acres.

T. 11 S., R. 73 W.
Secs. 1, 2, and 3;
Secs. 10 to 29, inclusive;
Sec. 32;
Sec. 33, excluding Native allotment F-18207 Parcel B;
Secs. 34, 35, and 36.

Containing approximately 17,861 acres.

T. 12 S., R. 73 W.
Secs. 1 and 2, excluding Native allotment F-13780 Parcel A;
Sec. 3;
Sec. 4, excluding Native allotment F-18207 Parcel B;
Secs. 5, 6, and 7;
Secs. 8 and 9, excluding Native allotment F-15949 Parcel A;
Sec. 10, excluding Native allotment F-13766 Parcel B;
Sec. 11, excluding Native allotment F-18204 Parcel A;
Secs. 12 and 13;
Sec. 14, excluding Native allotment F-18204 Parcel B;
Sec. 15;
Sec. 16, excluding Native allotment F-15949 Parcel A;
Sec. 17, excluding Native allotment F-13766 Parcel A and F-15949 Parcel A;
Sec. 18, excluding Native allotment F-13766 Parcel A;
Secs. 19 and 20 (fractional);
Sec. 21 (fractional), excluding U.S. Survey No. 5081, U.S. Survey No. 2024, and Alaska Native Claims Settlement Act Sec. 3(e) applications AA-47528 and AA-47531;
Sec. 22;
Sec. 23, excluding Native allotment F-15949 Parcel C;
Sec. 24, excluding Native allotment F-13775 Parcel C;
Sec. 25, excluding Native allotment F-16203 Parcel A;

Secs. 26 and 27;
Secs. 28 and 33 (fractional), excluding Native allotment F-18209;
Secs. 34, 35, and 36.

Containing approximately 16,869 acres.

T. 10 S., R. 74 W.
Secs. 28 to 33, inclusive.

Containing approximately 3,798 acres.

T. 11 S., R. 74 W.
Secs. 4 and 5;
Secs. 8 and 9;
Secs. 13, 16, and 17;
Secs. 20, 21, and 24;
Secs. 27, 28, and 29;
Secs. 33, 34, and 35.

Containing approximately 10,240 acres.

T. 12 S., R. 74 W.
Secs. 3 and 4;
Secs. 9 and 10;
Secs. 13 to 16, inclusive;
Sec. 21, excluding Native allotment litigation AA-37800 Parcel 2;
Sec. 22, excluding Native allotments F-16177 and F-16204 Parcel A;
Sec. 23, excluding Native allotment F-16177 and Native allotment litigation AA-37799 Parcel B;
Sec. 24 (fractional), excluding Native allotment litigation AA-37799 Parcel B;
Sec. 25 (fractional);
Sec. 26 (fractional), excluding Native allotment F-16177;
Sec. 27 (fractional), excluding Native allotment F-16177 and F-16204 Parcel A;
Sec. 28 (fractional), excluding U.S. Survey No. 2495.

Containing approximately 8,147 acres.

T. 10 S., R. 75 W.
Sec. 4;
Sec. 5 (fractional);
Sec. 8 (fractional), excluding Native allotment F-18210 Parcel A;
Secs. 9 and 16;
Sec. 17 (fractional), excluding Native allotment F-17490 Parcel A and Native allotment litigation AA-37802 Parcel 1;
Sec. 20 (fractional), excluding Native allotment F-18441 Parcel A;
Sec. 21 (fractional);
Secs. 25, 26, and 27;
Sec. 28 (fractional), excluding Native allotment F-15690;

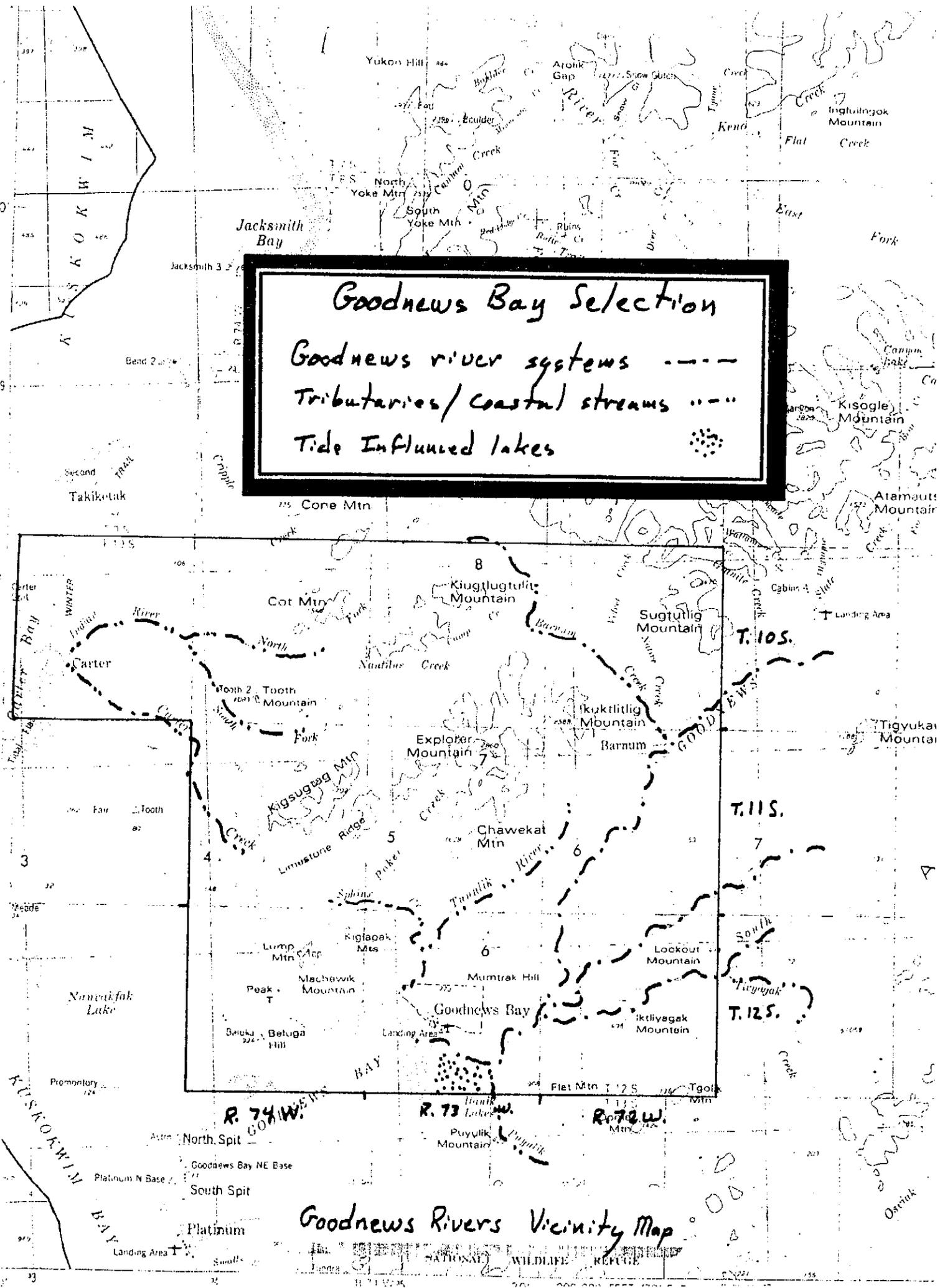
Sec. 29 (fractional), excluding Native allotments F-15690 and
F-18441 Parcel B;
Sec. 30 (fractional), excluding Native allotment F-18441 Parcel B;
Sec. 31 (fractional), excluding Native allotment F-18579 Parcel B;
Sec. 32 (fractional);
Secs. 33 to 36, inclusive.

Containing approximately 10,053 acres.

Aggregating approximately 104,323 acres.

Goodnews Bay Selection

- Goodnews river systems - - - -
- Tributaries/Coastal streams - · - ·
- Tide Influenced lakes ·····



Goodnews Rivers Vicinity Map

NATIONAL WILDLIFE REFUGE



United States Department of the Interior

IN REPLY REFER TO

BUREAU OF LAND MANAGEMENT

Alaska State Office
701 C Street, Box 13
Anchorage, Alaska 99513

Goodnews Bay VS-83-04
F-14862-A (2651)
F-14862-EE (75.4) ✓
2628 (962)

**Goodnews River System
Interim Summary Report
Attachment 13**

Memorandum

MAR 3 1983

To: Chief, Division of ANCSA and State Conveyances (960)
From: Assistant to the State Director for Conveyance Management (913)
Subject: Final Navigability Determination for Goodnews River

Following is the final administrative navigability determination for water bodies within lands selected. The townships encompassing this selection and this navigability determination are listed on the Navigability Report Title Page of report Goodnews Bay-VS-83-04 on file in the Navigability Section (962).

The report was written based on a review of available maps, interviews, and recorded material.

Based on the information in the Navigability Report Goodnews Bay-VS-83-04, the following water bodies are navigable through the selected area:

1. The Goodnews River
2. The Middle Fork of the Goodnews River
3. The South Fork of the Goodnews River
4. The interconnecting and dead-end sloughs associated with the above three (3) rivers
5. The streams and lakes to the extent of tidal influence entering the Goodnews or Kuskokwim Bays
6. Barnum Creek

All other named or unnamed water bodies within the area to be conveyed were reviewed and, based on existing evidence are nonnavigable.

Robert W. Jathford IV

Goodnews River System
Interim Summary Report
Attachment 14

RECEIVED

1983 JUN 24 PM 1:01

BUREAU OF LAND MNGT.
ANCHORAGE DIST. OFFICE

F-14862-EE (75.4)
F-14862-A (2651)
(963)

JUN 22 1983

Memorandum

To: Chief, Division of ANCSA and State Conveyances (960)
From: Assistant to the State Director for Conveyance Management (913)
Subject: Final Easements for Kuitsarak, Inc., (Village of Goodnews Bay)

Following are the final easement and major waterway recommendations for lands selected by Kuitsarak, Inc., for the Natives of Goodnews Bay. Of those recommendations, my decision is as follows for the lands described below:

Seward Meridian, Alaska (Unsurveyed)

T. 12 S., R. 73 W.
Secs. 1 through 36.

T. 12 S., R. 72 W.
Secs. 1 through 12 and 14 through 21.

T. 11 S., R. 73 W.
Secs. 1 through 3, 10 through 29, and
32 through 36.

T. 11 S., R. 72 W.
Secs. 2 through 10, 14 through 23, and
26 through 35.

T. 10 S., R. 72 W.
Secs. 18 through 23 and 26 through 36.

T. 12 S., R. 74 W.
Secs. 3, 4, 9, 10, 13 through 16 and
21 through 24.

T. 11 S., R. 74 W.
Secs. 4, 5, 8, 9, 13, 16, 17, 20, 21, 24,
27 through 29 and 33 through 35.

T. 10 S., R. 74 W.
Secs. 28 through 33.

T. 10 S., R. 75 W.
Secs. 4, 5, 8, 9, 16, 17, 20, 21 and
25 through 36.

T. 10 S., R. 73 W.
 Secs. 13 through 15, 22 through 27 and
 34 through 36.

MAJOR WATERWAYS:

The Goodnews River, the Middle Fork of the Goodnews River, the South Fork of the Goodnews River and Barnum Creek have been determined to be major water ways. These water bodies serve as travel routes to public land.

ALLOWABLE USES:

All easements are subject to applicable Federal, State, or Municipal corporation regulation. The following is a listing of uses allowed for each type of easement identified. Uses which are not specifically listed are prohibited.

25 Foot Trail - The uses allowed on a twenty-five (25) foot wide trail easement are: travel by foot, dogsleds, animals, snowmobiles, two- and three-wheel vehicles, and small all-terrain vehicles (ATV's) (less than 3,000 lbs. Gross Vehicle Weight (GVW)).

One Acre Site - The uses allowed for a one acre site easement are: vehicle parking (e.g., aircraft, boats, ATV's snowmobiles, cars, trucks), temporary camping, and loading or unloading. Temporary camping, loading, or unloading shall be limited to 24 hours.

EASEMENTS TO BE RESERVED:

- a. (EIN 1 C3, C5, D1, D9, M) An easement twenty-five (25) feet in width for an existing access trail from trail EIN 1 C3, C5, D1, D9, M on the Platinum selection in Sec. 5, T. 11 S., R. 75 W., Seward Meridian, northerly to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to winter.

Discussion:

This trail was relocated to a coastal route from a previous inland route by the Village of Platinum. This trail is a continuation of Platinum trail EIN 1 C3, C5, D1, D9, M and provides access northerly to Quinhagak and public lands. That portion of this trail from the village of Goodnews Bay westerly to public land in Sec. 20, T. 12 S., R. 74 W., Seward Meridian has been deleted as the villagers stated winter travelers use the ice of Goodnews Bay.

- b. (EIN 3 C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from the shore of Goodnews Bay in Sec. 20, T. 12 S., R. 74 W., Seward Meridian, northerly through the selection area to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

Discussion:

Reservation of this trail easement is necessary to assure continued access to public lands separated by the village selection. This trail has been reduced to a twenty-five (25) foot wide trail as this is adequate to accommodate general public needs. Access to valid existing mining claims is protected under the 1872 Mining Law.

- c. (EIN 4 C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from the village of Goodnews Bay in Sec. 21, T. 12 S., R. 73 W., Seward Meridian, northeasterly, generally paralleling the Goodnews River, to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to winter.

Discussion:

This overland route has been used in the past to haul supplies to the Wattamuse mining camp on public lands northeast of the village selection. Reservation of this easement is necessary to assure public access between the waters of Goodnews Bay and public lands. The trail width has been reduced to twenty-five (25) feet as this is adequate to accommodate public travel needs. Access to valid existing mining claims is protected by the 1872 Mining Law.

- d. (EIN 8 C4, C6) A one (1) acre site easement upland of the ordinary high water mark on an island in the Goodnews River in the approximate SW $\frac{1}{4}$, Sec. 18 and NW $\frac{1}{4}$, Sec. 19, T. 12 S., R. 72 W., Seward Meridian. The uses allowed are those listed above for a one (1) acre site.

Discussion:

This site is necessary to facilitate public travel along the Goodnews River. The site has received significant public use in the past and continues to receive significant use.

- e. (EIN 9 C3, D1, D9) An easement twenty-five (25) feet in width for a proposed access trail from a slough off the Goodnews River, in the NE $\frac{1}{4}$ Sec. 25, T. 12 S., R. 73 W., Seward Meridian, easterly to public land. The season of use is limited to winter.

Discussion:

This trail easement is necessary to assure public access between the village of Goodnews and public lands to the east. This easement will be relinquished if final survey shows the slough to be within public land as this slough is navigable and a public easement would not be necessary.

- f. (EIN 11 C5) A one (1) acre site easement upland of the ordinary high water mark on the left bank of the Goodnews River between two unnamed streams in NE $\frac{1}{4}$ Sec. 2, T. 11 S., R. 72 W., Seward Meridian. The uses allowed are those listed above for a one (1) acre site.

Discussion:

Reservation of this site easement is necessary to facilitate public travel along the Goodnews River. This site, in conjunction with trail EIN 11a C5, will facilitate change in mode of transportation. This site was relocated at the request of the village board of directors and the State of Alaska to avoid conflict with a Native allotment. If final survey shows the Goodnews River enters public lands in the NW $\frac{1}{4}$ Sec. 1, T. 11 S., R. 72 W., Seward Meridian this site would not be needed and would be deleted.

- g. (EIN 11a C5) An easement twenty-five (25) feet in width for a proposed access trail from site EIN 11 in the NE $\frac{1}{4}$ Sec. 2, T. 11 S., R. 72 W., Seward Meridian easterly to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

Discussion:

Reservation of this trail easement is necessary to provide public access between public waters and public lands separated by the village selection. This is a short trail of less than $\frac{1}{2}$ mile. If final survey shows The Goodnews River to enter public lands in the NW $\frac{1}{4}$ Sec. 1 T. 11 S., R. 72 W., Seward Meridian this trail easement would not be needed and would be deleted.

- h. (EIN 12 C5) An easement for an existing access trail twenty-five (25) feet in width from trail EIN 4 C3, C4, D1, D9 in Sec. 3, T. 12 S., R. 73 W., Seward Meridian, westerly to public lands. The uses allowed are those listed above for a twenty-five (25) foot trail easement.

Discussion:

This trail provides access to a block of public lands isolated by the village selection and topography.

- i. (EIN 14 C5) An easement twenty-five (25) feet in width for an existing access trail from Platinum trail EIN 3 D1, D9; in Sec. 6, T. 13 S., R. 73 W., Seward Meridian, northwesterly to the Goodnews River. The uses allowed are those listed above for a twenty-five (25) foot trail easement. The season of use is limited to winter.

Discussion:

Reservation of this trail easement is necessary to assure continued public access between the villages of Goodnews and Platinum. This trail provides an alternate overland route between Platinum and Goodnews when conditions prevent safe travel on Goodnews Bay. This trail was relocated to terminate at the Goodnews River.

The following easements were considered but not recommended:

- a. (EIN 2 C5, M) An easement for an existing access trail twenty-five (25) feet in width from Sec. 29, T. 10 S., R. 75 W., Seward Meridian, southeasterly to public land.

Discussion:

This trail was combined with trail EIN 1 C3, C5, D1, D9, M.

- b. (10 D1) A continuous linear easement twenty-five (25) feet in width upland of and parallel to the mean high tide line in order to provide access to and along the marine coastline and use of such shore for purposes such as beaching of watercraft or aircraft, travel along the shore, recreation, and other similar uses.

Discussion:

This easement does not meet the requirements of the new easement regulations.

- c. (EIN 13 D1, L) A streamside easement twenty-five (25) feet in width upland of and parallel to the ordinary high water mark on all banks of the navigable Goodnews River through the selection area.

Discussion:

This easement does not meet the requirements of the new easement regulations as it is recreational in nature.

- d. (EIN 15 D1, L) A streamside easement twenty-five (25) feet in width upland of and parallel to the ordinary high water mark on all banks and an easement on the entire bed of the Middle Fork Goodnews River through the selection area.

Discussion:

This easement does not meet the requirements of the new easement regulations as it is recreational in nature.

- e. (EIN 16 C) The right of the United States to enter upon the lands herein granted for cadastral, geodetic, or other survey purposes is reserved, together with the right to do all things necessary in connection therewith.

Discussion:

This easement does not meet the requirements of the new easement regulations.

- f. (EIN 17 C) Easements for the transportation of energy, fuel, and natural resources which are the property of the United States or which are produced by the United States. These easements also include the right to build any related facilities necessary for the exercise of the right to transport energy, fuel, and natural resources, including those related facilities necessary during period of planning, locating, constructing, operating, maintaining, or terminating transportation systems.

Discussion:

This easement does not meet the requirements of the new easement regulations.

/s/ ROBERT W. FAIRBANK

cc:

Mr. Gary Gustafson
State of Alaska
Department of Natural Resources
Division of Research and Development
Land Exchange/Entitlement Unit
Pouch 7-005
Anchorage, Alaska 99502

Mr. Ron Swanson
Navigability Unit
State of Alaska
Pouch 7-005
Anchorage, Alaska 99502

DM-NAV (013)

AM-M (018)

(962)

Attn: M. Brown

Goodnews River System
Interim Summary Report
Attachment 15

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100 SEP 30 AM 8 41
BUREAU OF LAND MGMT.
ANCHORAGE DIST. OFFICE

F-14862-A (2651)
F-14862-A2 (2651)
F-14862-EE (75.4)
(961)

SEP 29 1983

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DECISION

Kuitsarak Inc. : F-14862-A, F-14862-A2
Goodnews Bay, Alaska 99620 : Village Selections
:
Calista Corporation :
516 Denali Street :
Anchorage, Alaska 99501 :

Section 12(b) Application Rejected in Part
Lands Proper for Village Selection
Approved for Interim Conveyance

On November 13, 1974, Kuitsarak Inc., for the Native village of Goodnews Bay, filed selection application F-14862-A, as amended, under the provisions of Sec. 12(a) of the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), 43 U.S.C. 1601, 1611, for the surface estate of certain lands in the vicinity of Goodnews Bay, Alaska.

On December 11, 1975, Kuitsarak Inc. filed selection application F-14862-A2 pursuant to Sec. 12(b) of ANCSA, for certain lands previously selected pursuant to Sec. 12(a) with the statement that its Sec. 12(a) selection overrides the Sec. 12(b) selection. Therefore, application F-14862-A2 is hereby rejected as to the lands herein approved for conveyance. Further action on the subject Sec. 12(b) selection application as to the lands not rejected herein will be taken at a later date.

As to the lands described below, selection application F-14862-A, as amended, is properly filed and meets the requirements of ANCSA and of the regulations issued pursuant thereto. These lands do not include any lawful entry perfected under or being maintained in compliance with laws leading to acquisition of title.

In view of the foregoing, the surface estate of the following described lands selected pursuant to Sec. 12(a) of ANCSA, aggregating approximately 103,883 acres, is considered proper for acquisition by Kuitsarak Inc. and is hereby approved for conveyance pursuant to Sec. 14(a) of ANCSA.

Seward Meridian, Alaska (Unsurveyed)

T. 10 S., R. 72 W.

- Secs. 18 to 23, inclusive;
- Secs. 26 to 34, inclusive;
- Sec. 35, excluding Native allotment F-15601 and Native allotment litigation AA-37801 Parcel 4;
- Sec. 36, excluding Native allotments F-15605 Parcel B and F-18207 Parcel C.

Containing approximately 10,522 acres.

T. 11 S., R. 72 W.

- Sec. 2, excluding Native allotment F-15601 and Native allotment litigation AA-37801 Parcel 4;
- Sec. 3, excluding Native allotment F-13777 Parcel A and Native allotment litigation AA-37808 Parcel A;
- Secs. 4 to 9, inclusive;
- Sec. 10, excluding Native allotments F-13776 Parcel B and F-15844 Parcel B and Native allotment litigations AA-37800 Parcel 1 and AA-37808 Parcel A;
- Sec. 15, excluding Native allotment F-13767 Parcel B and Native allotment litigation AA-37800 Parcel 1;
- Sec. 16, excluding Native allotment F-13767 Parcel B and Native allotment litigation AA-37802 Parcel 4;
- Secs. 17 and 18;
- Sec. 19, excluding Native allotment F-15787;
- Sec. 20, excluding Native allotments F-15787 and F-18207 Parcel A;
- Sec. 21, excluding Native allotments F-13767 Parcel B and F-18211 Parcel A and Native allotment litigation AA-37802 Parcel 4;
- Sec. 22;
- Sec. 29, excluding Native allotments F-13759 Parcel A, F-15843, and F-15949 Parcel B;
- Sec. 30, excluding Native allotment F-15843;
- Sec. 31;
- Sec. 32, excluding Native allotments F-13777 Parcel B and F-13779 Parcel A.

Containing approximately 11,590 acres.

T. 12 S., R. 72 W.

- Sec. 2, excluding Native allotment F-13660;
- Sec. 3, excluding Native allotment litigation AA-37801 Parcel 3;
- Sec. 5, excluding Native allotments F-13758 Parcel A, F-13777 Parcel C, and F-13779 Parcel A;
- Sec. 6, excluding Native allotment F-13777 Parcel C;
- Sec. 7;
- Sec. 8, excluding Native allotment F-13758 Parcel A;
- Sec. 9, excluding Native allotment F-18369 Parcel B;
- Sec. 10, excluding Native allotment F-18369 Parcel B and Native allotment litigation AA-37801 Parcel 3;
- Sec. 16;
- Sec. 17, excluding Native allotments F-13776 Parcel A and F-15624 Parcel B and Native allotment litigation AA-37800 Parcel 3;

Sec. 18;
 Sec. 19, excluding Native allotments F-13758 Parcel B and F-13775 Parcel B;
 Sec. 20, excluding Native allotments F-13776 Parcel A and F-15844 Parcel A and Native allotment litigation AA-37800 Parcel 3;
 Sec. 21.

Containing approximately 7,562 acres.

T. 10 S., R. 73 W.
 Secs. 13, 14, and 15;
 Secs. 22 to 27, inclusive;
 Secs. 34, 35, and 36.

Containing approximately 7,680 acres.

© T. 11 S., R. 73 W.
 Secs. 1, 2, and 3;
 Secs. 10 to 29, inclusive;
 Sec. 32;
 Sec. 33, excluding Native allotment F-18207 Parcel B;
 Secs. 34, 35, and 36.

Containing approximately 17,861 acres.

© T. 12 S., R. 73 W.
 Secs. 1 and 2, excluding Native allotment F-13780 Parcel A;
 Sec. 3;
 Sec. 4, excluding Native allotment F-18207 Parcel B;
 Secs. 5, 6, and 7;
 Secs. 8 and 9, excluding Native allotment F-15949 Parcel A;
 Sec. 10, excluding Native allotment F-13766 Parcel B;
 Sec. 11, excluding Native allotment F-18204;
 Secs. 12 and 13;
 Sec. 14, excluding Native allotment F-18204;
 Sec. 15;
 Sec. 16, excluding Native allotment F-15949 Parcel A;
 Sec. 17 (fractional), excluding Native allotment F-13766 Parcel A and F-15949 Parcel A;
 Sec. 18 (fractional), excluding Native allotment F-13766 Parcel A;
 Secs. 19 and 20 (fractional);
 Sec. 21 (fractional), excluding U.S. Survey No: 5081, U.S. Survey No. 2024, and Alaska Native Claims Settlement Act Sec. 3(e) application AA-47528;
 Sec. 22;
 Sec. 23, excluding Native allotment F-15949 Parcel C;
 Sec. 24, excluding Native allotment F-13775 Parcel C;
 Sec. 25, excluding Native allotment F-16203 Parcel A;
 Secs. 26 and 27;
 Secs. 28 and 33 (fractional), excluding Native allotment F-18209;
 Secs. 34, 35, and 36.

Containing approximately 16,784 acres.

T. 10 S., R. 74 W.
Secs. 28 to 33, inclusive.

Containing approximately 3,798 acres.

T. 11 S., R. 74 W.
Secs. 4 and 5;
Secs. 8 and 9;
Secs. 13, 16, and 17;
Secs. 20, 21, and 24;
Secs. 27, 28, and 29;
Secs. 33, 34, and 35.

Containing approximately 10,240 acres.

T. 12 S., R. 74 W.
Secs. 3 and 4;
Secs. 9 and 10;
Secs. 13 to 16, inclusive;
Sec. 21, excluding Native allotment litigation AA-37800 Parcel 2;
Sec. 22, excluding Native allotments F-16177 and F-16204 Parcel A;
Sec. 23, excluding Native allotment F-16177 and Native allotment litigation AA-37799 Parcel B;
Sec. 24 (fractional), excluding Native allotment litigation AA-37799 Parcel B;
Sec. 25 (fractional);
Sec. 26 (fractional), excluding Native allotment F-16177;
Sec. 27 (fractional), excluding Native allotments F-16177 and F-16204 Parcel A.

Containing approximately 7,793 acres.

T. 10 S., R. 75 W.
Sec. 4;
Sec. 5 (fractional);
Sec. 8 (fractional), excluding Native allotment F-18210 Parcel A;
Secs. 9 and 16;
Sec. 17 (fractional), excluding Native allotment F-17490 Parcel A and Native allotment litigation AA-37802 Parcel 1;
Sec. 20 (fractional), excluding Native allotment F-18441 Parcel A;
Sec. 21 (fractional);
Secs. 25, 26, and 27;
Sec. 28 (fractional), excluding Native allotment F-15690;
Sec. 29 (fractional), excluding Native allotments F-15690 and F-18441 Parcel B;
Sec. 30 (fractional), excluding Native allotment F-18441 Parcel B;
Sec. 31 (fractional), excluding Native allotment F-18579 Parcel B;
Sec. 32 (fractional);
Secs. 33 to 36, inclusive.

Containing approximately 10,053 acres.

Aggregating approximately 103,883 acres.

Excluded from the above-described lands herein approved for conveyance are the submerged lands, up to the ordinary high water mark, beneath all water bodies determined by the Bureau of Land Management to be navigable because they have been or could be used in connection with travel, trade and commerce. Those water bodies are identified on the attached navigability maps, the original of which will be found in easement case file F-14862-EE.

Also excluded from the above-described lands herein approved for conveyance are lands covered by tidal water up to the line of mean high tide. The actual limits of tidal influence for those water bodies, if any, will be determined at the time of survey.

All other water bodies not depicted as navigable on the attached maps within the lands to be conveyed were reviewed. Based on existing evidence, they were determined to be nonnavigable.

The lands excluded in the above description are not being approved for conveyance at this time and have been excluded for one or more of the following reasons: Lands are no longer under Federal jurisdiction; lands are under applications pending further adjudication; or lands are pending a determination under Sec. 3(e) of ANCSA. Lands within U.S. Surveys which are excluded are described separately in this decision if they are available for conveyance. These exclusions do not constitute a rejection of the selection application, unless specifically so stated.

Enclosed are copies of current status plats showing the lands approved for conveyance along with maps showing easements to be reserved and the navigable water bodies.

The conveyance issued for the surface estate of the lands described above shall contain the following reservations to the United States:

1. The subsurface estate therein, and all rights, privileges, immunities, and appurtenances, of whatsoever nature accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1613(f); and
2. Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1616(b), the following public easements, referenced by easement identification number (EIN) on the easement maps attached to this document, copies of which will be found in case file F-14862-EE, are reserved to the United States. All easements are subject to applicable Federal, State or Municipal corporation regulation. The following is a listing of uses allowed for each type of easement. Any uses which are not specifically listed are prohibited.

25 Foot Trail - The uses allowed on a twenty-five (25) foot wide trail easement are: travel by foot, dogsleds, animals, snowmobiles, two- and three-wheel vehicles, and small all-terrain vehicles (ATVs) (less than 3,000 lbs. Gross Vehicle Weight (GVW)).

One Acre Site - The uses allowed for a one (1) acre site easement are: vehicle parking (e.g., aircraft, boats, ATVs, snowmobiles, cars, trucks), temporary camping, and loading or unloading. Temporary camping, loading, or unloading shall be limited to 24 hours.

- a. (EIN 1 C3, C5, D1, D9, M) An easement twenty-five (25) feet in width for an existing access trail from trail EIN 1 C3, C5, D1, D9, M on the Platinum selection in Sec. 5, T. 11 S., R. 75 W., Seward Meridian, northerly to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to winter.
- b. (EIN 3 C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from the shore of Goodnews Bay in Sec. 20, T. 12 S., R. 74 W., Seward Meridian, northerly through the selection area to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.
- c. (EIN 4 C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from the village of Goodnews Bay in Sec. 21, T. 12 S., R. 73 W., Seward Meridian, northeasterly, generally paralleling the Goodnews River, to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to winter.
- d. (EIN 8 C4, C6) A one (1) acre site easement upland of the ordinary high water mark on an island in the Goodnews River in the approximate SW $\frac{1}{4}$, Sec. 18 and NW $\frac{1}{4}$, Sec. 19, T. 12 S., R. 72 W., Seward Meridian. The uses allowed are those listed above for a one (1) acre site.
- e. (EIN 9 C3, D1, D9) An easement twenty-five (25) feet in width for a proposed access trail from a slough off the Goodnews River, in the NE $\frac{1}{4}$, Sec. 25, T. 12 S., R. 73 W., Seward Meridian, easterly to public land. The season of use is limited to winter.
- f. (EIN 11 C5) A one (1) acre site easement upland of the ordinary high water mark on the left bank of the Goodnews River between two unnamed streams in the NE $\frac{1}{4}$, Sec. 2, T. 11 S., R. 72 W., Seward Meridian. The uses allowed are those listed above for a one (1) acre site.
- g. (EIN 11a C5) An easement twenty-five (25) feet in width for a proposed access trail from site EIN 11 C5 in the NE $\frac{1}{4}$, Sec. 2, T. 11 S., R. 72 W., Seward Meridian, easterly to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.
- h. (EIN 12 C5) An easement for an existing access trail twenty-five (25) feet in width from trail EIN 4 C3, C4, D1, D9 in Sec. 3,

T. 12 S., R. 73 W., Seward Meridian, westerly to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

- i. (EIN 14 C5) An easement twenty-five (25) feet in width for an existing access trail from Platinum trail EIN 3 D1, D9, in Sec. 6, T. 13 S., R. 73 W., Seward Meridian, northwesterly to the Goodnews River. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to winter.

The grant of the above-described lands shall be subject to:

1. Issuance of a patent after approval and filing by the Bureau of Land Management of the official plat of survey confirming the boundary description and acreage of the lands hereinabove granted;
2. Valid existing rights therein, if any, including but not limited to those created by any lease (including a lease issued under Sec. 6(g) of the Alaska Statehood Act of July 7, 1958, 48 U.S.C. Ch. 2, Sec. 6(g)), contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2) of the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), 43 U.S.C. 1601, 1616(b)(2), any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law;
3. Airport Lease, F-19463, located in Secs. 21 and 22, T. 12 S., R. 73 W., Seward Meridian, issued to the State of Alaska, Department of Public Works, Division of Aviation (now Department of Transportation and Public Facilities) under the provisions of the Act of May 24, 1928, 49 U.S.C. 211-214;
4. Airport Lease, F-031560, as amended, located in Secs. 21 and 28, T. 12 S., R. 73 W., Seward Meridian, issued to the State of Alaska, Department of Public Works, Division of Aviation (now Department of Transportation and Public Facilities) under the provisions of the Act of May 24, 1928, 49 U.S.C. 211-214;
5. Right-of-way, F-12542, as amended, for a power plant site located in Sec. 21, T. 12 S., R. 73 W., Seward Meridian, granted to Alaska Village Electric Cooperative, Inc., under the provisions of the Act of March 4, 1911, 43 U.S.C. 961; and
6. Requirements of Sec. 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1613(c), that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section.

Kuitsarak Inc. is entitled to conveyance of 115,200 acres of land selected pursuant to Sec. 12(a) of ANCSA. Together with the lands herein approved, the total acreage conveyed or approved for conveyance is approximately 103,883 acres. The remaining entitlement of approximately 11,317 acres will be conveyed at a later date.

Pursuant to Sec. 14(f) of ANCSA and Departmental regulation 43 CFR 2652.4, conveyance of the subsurface estate shall be issued to Calista Corporation when the surface estate is conveyed to Kuitsarak Inc., and shall be subject to the same conditions as the surface conveyance, except for those provisions under Sec. 14(c) of ANCSA; also the right to explore, develop or remove mineral materials from the subsurface estate in lands within the boundaries of the Native village shall be subject to the consent of Kuitsarak Inc.

In accordance with Departmental regulation 43 CFR 2650.7(d), notice of this decision is being published once in the Federal Register and once a week, for four (4) consecutive weeks, in The Tundra Drums.

Any party claiming a property interest in lands affected by this decision, an agency of the Federal government, or regional corporation may appeal the decision to the Interior Board of Land Appeals, Office of Hearings and Appeals, in accordance with the attached regulations in Title 43 Code of Federal Regulations (CFR), Part 4, Subpart E, as revised. However, pursuant to Public Law 96-487, this decision constitutes the final administrative determination of the Bureau of Land Management concerning navigability of water bodies.

If an appeal is taken, the notice of appeal must be filed in the Bureau of Land Management, Alaska State Office, Division of Conveyance Management (960), 701 C Street, Box 13, Anchorage, Alaska 99513. Do not send the appeal directly to the Interior Board of Land Appeals. The appeal and copies of pertinent case files will be sent to the Board from this office. A copy of the appeal must be served upon the Regional Solicitor, 701 C Street, Box 34, Anchorage, Alaska 99513.

The time limits for filing an appeal are:

1. Parties receiving service of this decision by personal service or certified mail, return receipt requested, shall have thirty days from receipt of this decision to file an appeal.
2. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, parties who failed or refused to sign their return receipt, and parties who received a copy of this decision by regular mail which is not certified, return receipt requested, shall have until OCT 31 1983 to file an appeal.

Any party known or unknown who is adversely affected by this decision shall be deemed to have waived those rights which were adversely affected unless an

appeal is timely filed with the Bureau of Land Management, Alaska State Office, Division of Conveyance Management.

To avoid summary dismissal of the appeal, there must be strict compliance with the regulations governing such appeals. (See enclosed DOI Form 1842-1.)

If an appeal is taken, the parties to be served with a copy of the notice of appeal are:

Kuitsarak Inc.
Goodnews Bay, Alaska 99620

Calista Corporation
516 Denali Street
Anchorage, Alaska 99501

/s/ Ruth Stockie

Section Chief, Branch of
ANCSA Adjudication

Enclosures:
DOI Form 1842-1
Appeal regulations
Plats
Maps
Legend

cc:

Department of Transportation
and Public Facilities
Pouch 6900
Anchorage, Alaska 99502
(w/maps and legend)

Retained Lands Unit - Allotments (CM-RRR)
Division of Land and Water Management
Alaska Department of Natural Resources
Pouch 7-005
Anchorage, Alaska 99510
(w/maps, plats and legend)

U.S. Department of the Army
Alaska District Corps of Engineers
P.O. Box 7002
Anchorage, Alaska 99510
(w/maps and legend)

Mr. Earle Williams (flp)
17th Coast Guard District
P.O. Box 3-5000
Juneau, Alaska 99802
(w/maps and legend)

Commissioner
Department of Transportation and
Public Facilities
Pouch Z
Juneau, Alaska 99811
(w/maps and legend)

Alaska Legal Services Corporation
615 H Street, Suite 100
Anchorage, Alaska 99502
(w/maps)

Mr. Jim Duffy
Association of Village Council Presidents
Box 767
Bethel, Alaska 99559
(w/maps)

Alaska Village Electric Cooperative, Inc.
4831 Eagle Street
Anchorage, Alaska 99503
(w/maps)

Mr. David Hughes
U.S. Department of the Interior
Office of Hearings and Appeals
4015 Wilson Boulevard
Arlington, Virginia 22203
(w/maps)

DM-A (010)
(w/maps)

AM-M (018)
(w/maps)

Chief, Branch of Office Engineering (922)

Chief, Branch of Easement Identification (963)

Chief, Branch of ANCSA Adjudication (961)

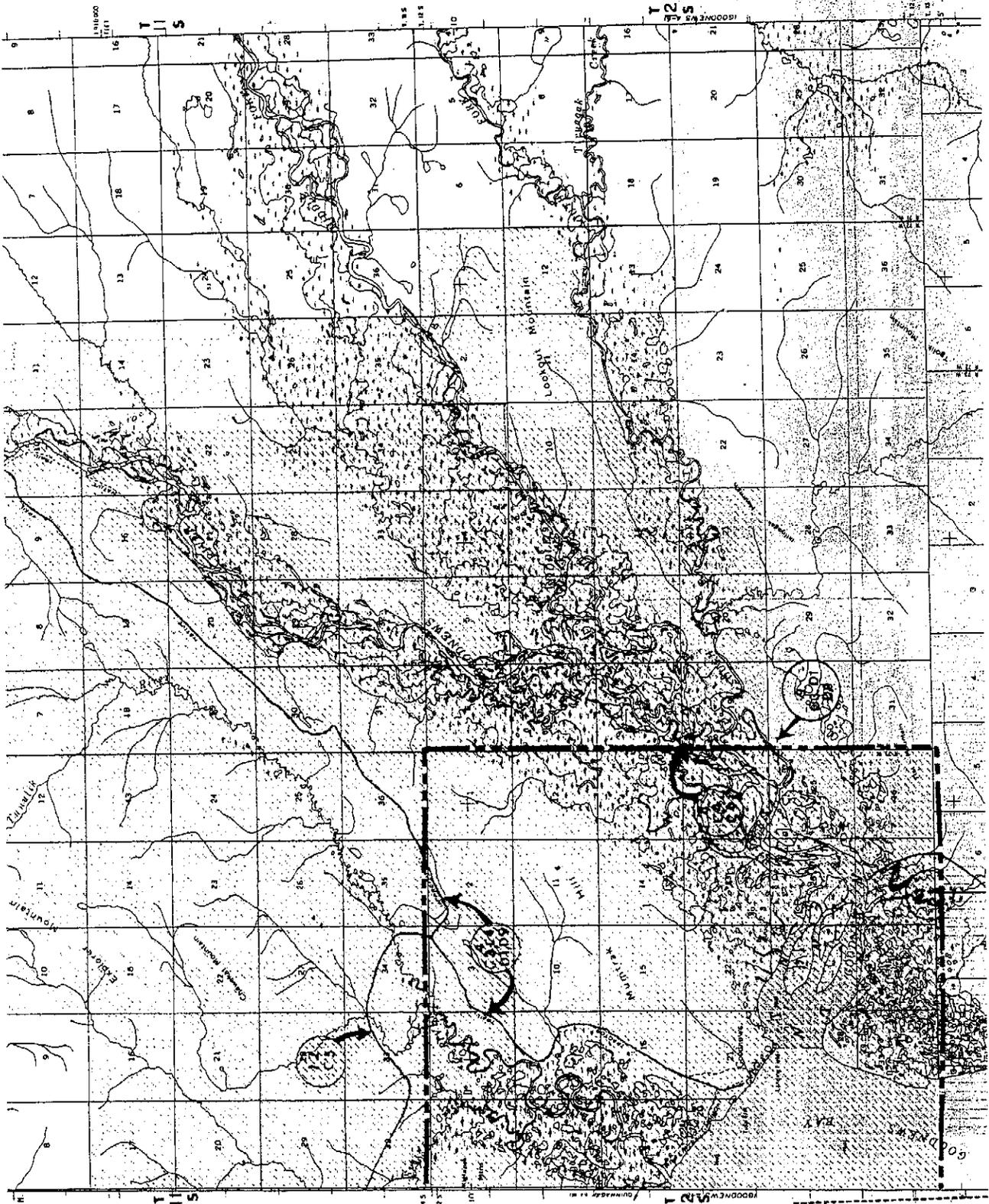
Escrow Unit (962)

Fire and Aviation Staff (917)
Attn: J. Costello

F-12542 (2800)

F-19463 (2911)

F-031560 (2911)



NAVIGABILITY DECISION REVIEWED		
VILLAGE	DATE	INITIALS
Goodnews	9-14-83	CLW



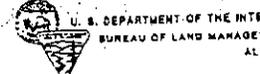
Submerged lands beneath waters determined navigable due to (or susceptible to) travel, trade and commerce.

T Pending determination of tidal influence.

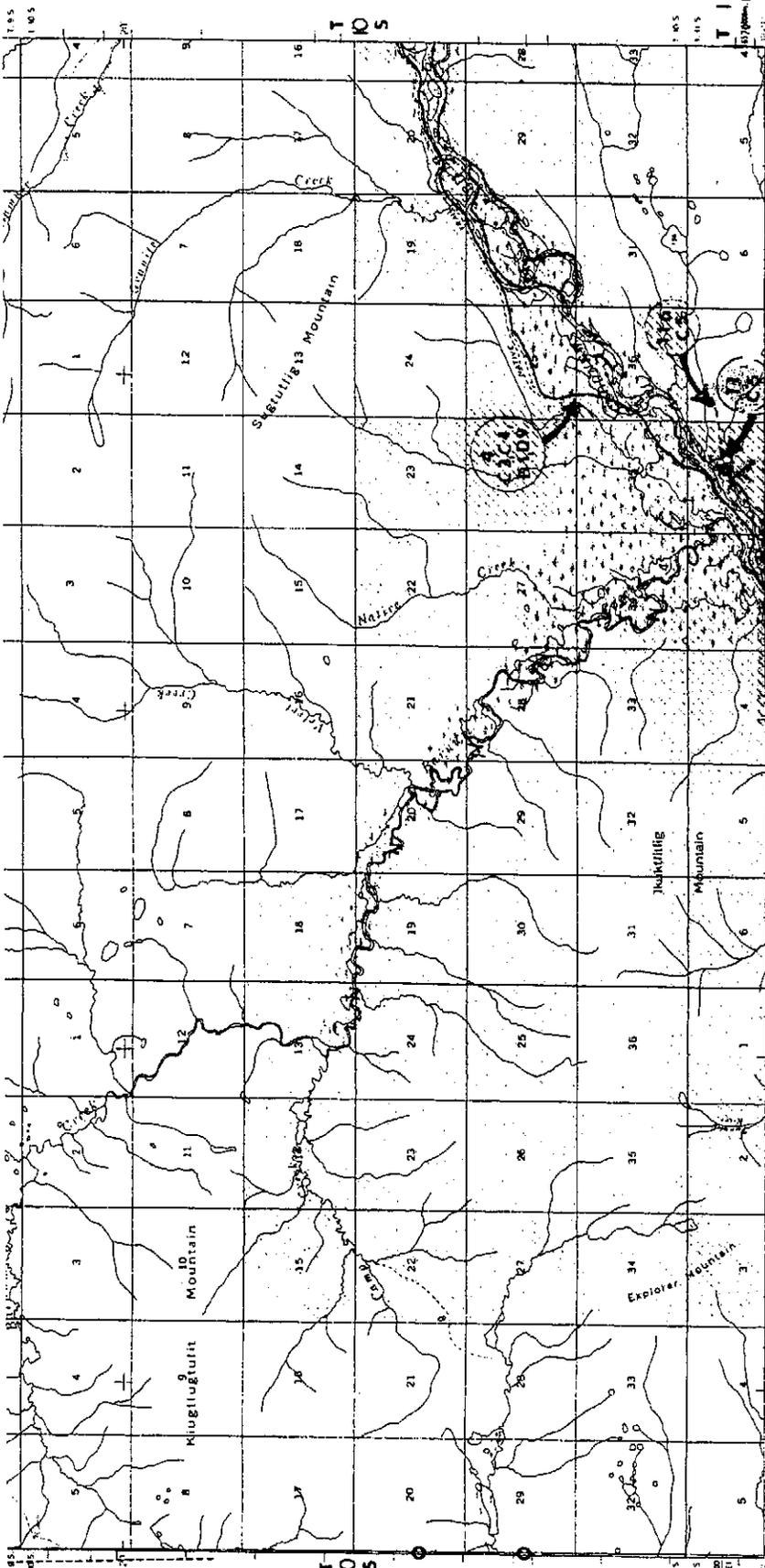
COMPUTERIZED MAP CATALOGING AND INFORMATION RETRIEVAL SYSTEM

CMCIRS-025049

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U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT



GOODNEWS BAY VILLAGE SELECTION
 Application of Dec. 17, 1974

FOR SALE BY U.S. GEOLOGICAL SURVEY
 FAIRBANKS, ALASKA 99701, DENVER, COLORADO 80225, DR. WASHINGTON, D. C. 20242
 A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST
 COURTESY

Map by the Army Map Service
 Edited and published by the Geological Survey
 Control by USCGS and USCC
 Georegistered by photogrammetric methods from aerial photographs
 taken 1957, 1962 and 1964. May not be checked
 Universal Transverse Mercator projection, 1927 North American datum
 1:50,000 scale. UTM Zone 18N. UTM grid shown on page 7
 1000-foot Universal Transverse Mercator grid shown
 on page 4. Shown in blue
 Land lines represent unpatented and patented locations
 protected by the Bureau of Land Management
 File S. 20 Seward Meridian

Represents nearest whole acre
 Application may be less than 640 acres

CONTOUR INTERVAL 50 FEET
 Contour interval 100 feet in some areas
 1000-foot UTM grid shown on page 7

GOODNEWS (B-7), ALASKA
 NAD 83 - WGS 84
 1954
 11 20 79

U.S. GEOLOGICAL SURVEY
 MAP CATALOGING AND
 REPRODUCTION SYSTEM
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 contact the Branch of
 Map Cataloging and
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 Reston, Virginia 20192, phone (703) 648-5063

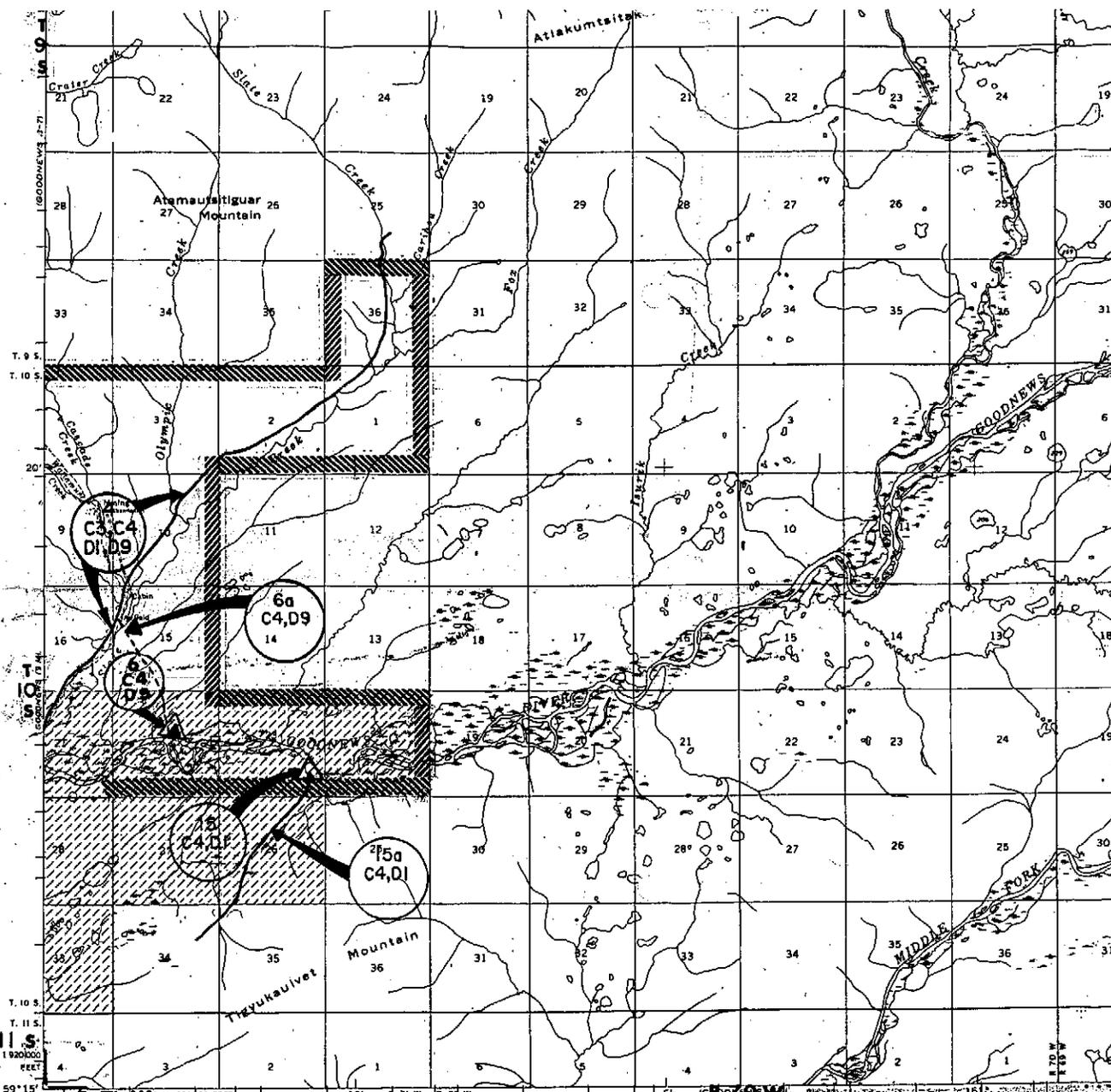
Notice	5/27/79	Medal	
Decision	5/27/79	R.M.	
Convey			

CMCIRS-045299

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U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
ALASKA

Notice	Decision	Convey



1:63,860

Map by the Army Map Service
Edited and published by the Geological Survey
Control by USCAGS and USCE

Topography by photogrammetric methods from aerial photographs taken 1957, field annotated 1954. Map not field checked.
Universal Transverse Mercator projection. 1927 North American datum
10,000-foot grid based on Alaska coordinate system, zone 7
1000-meter Universal Transverse Mercator grid ticks, zone 4, shown in blue

CALISTA-CORP. REGIONAL SELECTION
(4)(H)(8)

Application of Dec. 17, 1974

Represents nearest whole (application may be...)

APPROXIMATE MEAN DECLINATION, 1954

Goodnews

**Goodnews River System
Interim Summary Report
Attachment 16**

UNITED STATES DEPARTMENT OF INTERIOR
BUREAU OF LAND MANAGEMENT

Alaska State Office
Division of ANCSA and State Conveyance (960)
701 C Street, Box 13
Anchorage, Alaska 99513

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Appeal of the State of Alaska)
from BLM decision)
Village Selections F-14862-A, B)

NOTICE OF APPEAL

Please take notice that the State of Alaska hereby
appeals the decision of the Bureau of Land Management dated
September 29, 1983, approving certain land for conveyance to
Kuitsarak, Inc. and reserving certain easements. This appeal
concerns the failure of BLM to relocate the trail easements
designated EIN 1 C3, C5, D1, D9, M, EIN 4 C3, C4, D1, D9 and EIN
11a C5 and the site easement designated EIN 11 C5 to avoid
conflicts with Native Allotments. This appeal also concerns the
failure of BLM to make a determination that the Middle Fork of
Goodnews River is a major waterway and to reserve those site
easements necessary to allow for a reasonable pattern of travel
on the Middle Fork of Goodnews River and on the Goodnews River.

BUREAU OF LAND MANAGEMENT
ANCHORAGE, ALASKA
NOV 3 2 10 PM '83

DEPARTMENT OF LAW
OFFICE OF THE ATTORNEY GENERAL
ANCHORAGE BRANCH
1031 W. FOURTH AVENUE, SUITE 200
ANCHORAGE, ALASKA 99501
PHONE: (907) 276-3530

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A Statement of Reasons will be filed within thirty days which will more fully explain the State's position in this appeal.

DATED this 3d day of November, 1983, at Anchorage, Alaska.

NORMAN C. GORSUCH
ATTORNEY GENERAL

M. Francis Neville

By: M. FRANCIS NEVILLE
Assistant Attorney General

DEPARTMENT OF LAW
OFFICE OF THE ATTORNEY GENERAL
ANCHORAGE BRANCH
1031 W. FOURTH AVENUE, SUITE 200
ANCHORAGE, ALASKA 99501
PHONE: (907) 276-3350

UNITED STATES DEPARTMENT OF INTERIOR
OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF LAND APPEALS

4015 Wilson Boulevard
Arlington, Virginia 22203

Appeal of the State of Alaska)
IBLA 84-0132.)
_____)

STATEMENT OF REASONS
AND INTEREST AFFECTED

INTRODUCTION

The State of Alaska filed a notice of appeal on November 3, 1983, from the decision of the Bureau of Land Management ("BLM") dated September 29, 1983, approving the conveyance of certain lands to Kuitsarak, Inc., and reserving certain easements. Kuitsarak, Inc. is the village corporation organized pursuant to the Alaska Native Claims Settlement Act (ANCSA), 43 U.S.C. § 1601, et seq., for the Village of Goodnews Bay. An agreement has been reached concerning a portion of Alaska's appeal. See Stipulation for Partial Settlement and Remand dated December 5, 1983. The remaining reason for this appeal is the failure of BLM to reserve site easements sufficient to allow a reasonable pattern of travel along the Goodnews River and the Middle Fork of the Goodnews River ("Middle Fork").

Under § 17(b) of ANCSA the Secretary of the Interior is authorized and directed to reserve those public easements at periodic points along the courses of major waterways which are

BLM/ALASKA/IBLA/84-0132
OFFICE OF THE ATTORNEY GENERAL
SHELDON K. BAILEY, JR.
ALASKA DEPARTMENT OF LAW
FREETOWN, ALASKA

reasonably necessary to guarantee a full right of public use and access for a recreation, hunting, transportation, utilities, docks and other public uses. The regulations implementing this provision of ANCSA are set forth at 43 C.F.R. § 2650.4-7. The easements sought by the State of Alaska in this appeal meet the criteria of the statute and regulations.

Alaska is seeking the reservation of two additional site easements which are necessary to permit a reasonable pattern of travel along the Goodnews River and the Middle Fork. A site easement on the Goodnews River between EIN 8 C4, C6 and EIN 11 C5 should be located in T. 11 S., R. 72 W., Seward Meridian within Section 29 or Section 32. Another site easement should be located along the Middle Fork in T. 12 S., R. 72 W., Seward Meridian within Section 3 or Section 9.

The facts in the BLM record substantiate Alaska's position. There is no indication in the record that the facts submitted by Alaska to the BLM are mistaken or erroneous. It is not clear from the record whether the BLM even considered the information submitted by Alaska concerning the need for additional site easements. Alaska therefore requests the Board to reverse the decision of BLM based upon the facts which are in the BLM record and order the reservation of the two additional site easements requested by the State. In the alternative, Alaska requests the Board to either remand this matter to BLM for consideration and investigation of the factual information presented by the State or to schedule a hearing at which Alaska

can present evidence to further support the factual assertions it has made.

FACTS

The Goodnews River is a navigable waterbody which was also determined by the BLM to be a "major waterway" under 43 C.F.R. 2650.0-5(o). It receives extensive use for a variety of purposes including subsistence, recreation, and travel to publicly owned lands. The BLM decision provides for the reservation of a site easement, EIN 11 C5, in Section 2, T. 11 S., R. 72 W., Seward Meridian. This site is approximately three miles from publicly owned lands outside conveyance area. Another site, EIN 8 C4, C6 is to be reserved near the confluence of the Goodnews River and the Middle Fork, approximately 12 river miles from EIN 11 C5.

Originally the BLM proposed two additional easements to facilitate travel along the Goodnews River. EIN 7 C4, C6 was proposed as an additional site to be located in Section 21, T. 11 S., R. 72 W., Seward Meridian. 1/ See Notice of Proposed Easement Recommendations dated March 25, 1977. The Federal State Land Use Planning Commission ("LUPC") agreed with this

1/ The State is requesting that an additional site easement be located in Section 29 or 32 because Native allotments in Section 21 make the originally proposed location unsuitable.

recommendation to reserve EIN 7 C4, C6 by a letter dated June 17, 1977. On April 4, 1978, the State Director issued a memorandum concerning "Final Easements for the Village of Goodnews Bay" which deleted EIN 7 C4, C6 solely on the basis of the distance between EIN 8 C4, C6 and EIN 11 C5.

At the time the State Director eliminated EIN 7 C4, C6 from the list of easements to be reserved, EIN 13 D1, L was still recommended. This easement was to be a streamside easement and was approved by the LUPC. The April 4, 1978, memorandum which deleted EIN 7 C4, C6 stated that the streamside easement was necessary because of the extensive use of the river for recreation and access to public lands. The streamside easement was eliminated in the June 22, 1983, memorandum concerning "Final Easements for Kuitsarak, Inc." because streamside easements are not permitted under the easement regulations adopted in December, 1978. No consideration was given by the BLM at that time to the reservation of a site easement similar to EIN 7 C4, C6 to protect those uses for which the streamside easement had been proposed.

The Middle Fork is also a navigable waterbody and a "major waterway." The BLM never proposed a site easement on the Middle Fork, but EIN 15 D1, L was proposed as a streamside easement and approved by the LUPC. The April 4, 1978, memorandum states that the streamside easement is necessary on the Middle Fork "to provide for public use of waters having

highly significant present recreational use." The State Director also stated in that memorandum:

This river has good runs of chum salmon, red salmon, and arctic char. In addition to subsistence fishing by regional residents, the river attracts sports fishermen during periods when the salmon are running. This easement will provide space for foot travel, boat docking, and other uses associated with travel along the river..

The reference to boat docking and other uses indicates that EIN 15 D1, L was intended to accommodate some uses which, under the 1978 regulations, are allowed only on site easements. See 43 C.F.R. 2650.4-7(b)(2) and (b)(3). When the streamside easement was eliminated, the BLM did not consider whether a site easement might be necessary instead to accommodate public travel along the Middle Fork. See June 22, 1983, memorandum concerning "Final Easements for Kuitsarak, Inc."

The BLM determined that both the Goodnews River and the Middle Fork are major waterways and therefore have significant use by watercraft for access to publicly owned lands. Alaska submitted written information to the BLM in October and November, 1982, concerning the use of the rivers. This information indicated that more than 200 people use these rivers every year for recreation. Many of these people float the rivers on rafts rather than using power boats. Travel on the rivers is often slow due to the tidal influence, the slow current and frequent adverse weather conditions. The State identified a long time river guide, Ron Hyde, as the source for

much of its information. An undated letter from the BLM McGrath Resource Area Manager to Mr. Hyde is also included in the BLM record. This letter notes that Mr. Hyde's son saved a BLM crew "untold hours" by guiding employees using a jetboat down the lower portion of the Goodnews River. This letter indicates that Mr. Hyde is a reliable source of information and also that travel on the lower reaches of the river system is both difficult and time consuming.

ARGUMENT

Alaska requested the BLM to reserve additional site easements on the Goodnews River and Middle Fork to accommodate the existing public uses of the river. Alaska's request were made both orally and in writing. Alaska provided information to the BLM to support its request. If necessary, Alaska is prepared to present evidence at a hearing to establish that the requested easements should have been reserved. However, the existing BLM record establishes that the BLM failed to comply with the provisions of § 17(b) of ANCSA and the easement regulations in reaching its decision in this case. Therefore, the Board should reverse the BLM decision and order the reservation of the sites requested in this appeal on the basis of the record or alternatively remand the matter to BLM for proper consideration of the State's request.

A. The BLM's Failure to Consider the Easements Requested By The State of Alaska Was Erroneous.

The BLM record indicates that although the BLM originally proposed additional easements to accommodate public travel along the Goodnews River and the Middle Fork, these proposals were dropped by the time of the July 29, 1982, draft State Director's memorandum. After receiving this draft, Alaska requested, orally and in writing, that the BLM consider reserving additional site easements. The final BLM decisions were made in the June 23, 1983, easement memorandum. That memorandum lists not only those easements which are to be reserved, but also those easements which were considered but rejected. The memorandum indicates that BLM did not even consider Alaska's request or the information submitted by Alaska concerning the need for additional easements. Similarly, there is no response to the State's letter of October 26, 1983, which requested additional site easements and supplied information regarding use of the rivers.

Although the reservation of easements is, to some extent, discretionary, the BLM cannot properly exercise its discretion by simply ignoring the information and requests submitted by the State of Alaska. Section 17(b) of ANCSA and the easement regulations require the BLM to consider the views of the State and the information it submits. Section 17(b)(3) of ANCSA provides:

Prior to granting any patent under this Act to the village corporation and regional corporations, the Secretary shall consult with the State and the Planning Commission and shall reserve such public easements as he determines are necessary. (Emphasis supplied.)

The easement regulations also require that the BLM consider the recommendations submitted by Alaska. See 43 C.F.R. 2650.4-7(a)(8), (10), (11) and (12). There is no indication that the BLM did so here.

Because there is no indication that the BLM even considered Alaska's request for additional site easements, the BLM record does not establish a rational basis for the decision to deny the State's request. The apparent failure of the BLM to review and consider the requests and information submitted by Alaska is contrary to the express provisions of § 17(b) of ANCSA and the regulations. This violation of the applicable law requires that the BLM decision be reversed.

B. Easements Should Be Reserved To Accommodate Recreational Use Of The Rivers.

It is difficult to determine the basis upon which BLM decided not to reserve additional site easements. The information submitted by the State concerns recreational use of the Goodnews River system. In response to the State's letter, Calista Corporation on October 29, 1982, wrote to the BLM asserting that the requested site easements would violate the easement regulations because the easements would be for

recreation on Native lands. To the extent the BLM adopted this reasoning, its decision is erroneous and must be reversed.

Easements may not be reserved to allow recreation or fishing on lands conveyed pursuant to ANCSA. 43 C.F.R. 2650.4-7(a)(7). Site easements are not permitted for recreational uses such as fishing. 43 C.F.R. 2650.4-7(b)(3). This does not mean, however, that the public is prevented from recreational uses (including sports fishing) of major, navigable waterbodies owned by the State in areas conveyed to Native corporations under ANCSA. Section 17(b) of ANCSA expressly protects "a full right of public use and access for recreation." Recreation, therefore, is one of the many public uses of public lands and major waterways for which easements for access may be reserved.

Members of the public have a right to travel along the Goodnews River and the Middle Fork in a reasonable manner for recreation or any other lawful use. As the court recognized in Alaska Public Easement Defense Fund v. Andrus, 435 F.Supp. 664, 677 (D. Alaska 1977), Congress provided for site easements so that the public could continue such uses of the State's waters:

The ownership of ground and surface waters is to be determined according to State law. Under the Alaska Constitution and State law the right to use such waterways is placed in the people of the State. Alaska Const., Art. VIII, Sec. 3; AS 46.15.030.

Accordingly, the State owns or controls the lands beneath navigable waters, and the people of the State have the right to use the water itself on non-navigable rivers and streams.

In apparent recognition of the fact that there would be valid uses of the State's water, even when surrounded by lands withdrawn pursuant to the ANCSA, the public easement provision states that easements shall be reserved "at periodic points along courses of major waterways."

* * *

The purpose of the easements along waterways is to provide a place for docks, campsites, and such facilities to service those who are properly using the public waters.

Members of the public have a right to float the Goodnews River system in non-motorized craft and to fish along the way. Site easements to accommodate such present existing uses are permitted under the statute and regulations so long as the recreation takes place on the river and not on the easements. Therefore, if the BLM failed to reserve additional site easements because the easements would be for recreation rather than for travel, the decision is erroneous, based upon a misunderstanding of the regulations, and should be reversed.

C. The Site Easements Requested By Alaska Are Necessary To Allow For A Reasonable Pattern Of Travel.

Site easements may be reserved at periodic points along the waterway where there is a demonstrated need to provide for transportation to publicly owned lands or major waterways. 43 C.F.R. 2650.407(b)(3). The primary standard for determining whether a easement is reasonably necessary is present existing use. 43 C.F.R 2650.4-7(a)(3). The current and past levels of use of the Goodnews River system demonstrate that additional

site easements are needed to allow travel to continue along the rivers to publicly owned lands.

Periodic site easements must be those necessary to allow a reasonable pattern of travel on the waterways. 43 C.F.R. 2650.4-7(b)(3)(iv). A "reasonable pattern of travel" is a factual determination which must be made on a case by case basis. If the distance between the easements reserved by BLM is considered alone, ignoring such factors as the river currents, tidal influence, types of public use of the rivers, and typical weather conditions, then BLM's decision may appear reasonable. BLM is required to look at more than distance in determining a reasonable pattern of travel. The BLM failed to do so in this case even though site specific information was available from at least some of the hundreds of people who annually use the rivers.

Travel on the Goodnews River and the Middle Fork is often extremely slow and a float trip through the conveyance area can take more than two days. Travel between the two sites on the Goodnews River takes more than 13 hours when high water is combined with a headwind. These conditions are not unusual. The easements reserved by BLM will not accommodate a "reasonable pattern of travel" on these rivers but will often require long hours of travel without stopping for meals, rest or sleep. This was not the intent of the statute or regulations.

The State of Alaska is prepared to present testimony at a hearing by users of the Goodnews River and the Middle Fork

to support its assertion that additional easements are necessary to accommodate a reasonable pattern of travel along the rivers. However, such evidence is, and has been, as available to the BLM as it is to Alaska. The BLM had a duty to make an informed decision concerning the necessity for site easements. The failure of the BLM to base its decision on readily available information of present and existing use constitutes an abuse of discretion and a violation of 43 C.F.R. 2650.4-7(a)(3). The BLM decision should therefore be reversed.

CONCLUSION

A review of the BLM record indicates that there is no rational basis for its decision concerning the reservation of site easements on the Goodnews River and the Middle Fork. Furthermore, the BLM reached its decision in a manner inconsistent with the requirement of Section 17(b) of ANCSA and the easement regulations. The decision should therefore be reversed and the site easements sought by Alaska should be reserved.

DATED this 5th day of December, 1983.

NORMAN C. GORSUCH
ATTORNEY GENERAL

By:

M. Francis Neville
M. Francis Neville
Assistant Attorney General

1 UNITED STATES DEPARTMENT OF INTERIOR

2 BUREAU OF LAND MANAGEMENT

3 Alaska State Office
4 Division of ANCSA and State Conveyance (960)
5 701 C Street, Box 13
6 Anchorage, Alaska 99513

7 Appeal of the State of Alaska)
8 from BLM decision)
9 on Village Selections F14862-A, B)

BUREAU OF LAND MANAGEMENT
ANCHORAGE, ALASKA
NOV 3 2 10 PM '83

10 AFFIDAVIT OF SERVICE

11 STATE OF ALASKA)
12) ss.
13 THIRD JUDICIAL DISTRICT)

14 CYNTHIA F. COX, being first sworn, deposes and says:

15 1. I am a Legal Secretary in the Office of the
16 Attorney General, Anchorage Civil Section, 1031 West 4th Avenue,
17 Suite 200, Anchorage, Alaska 99501.

18 2. On November 3, 1983, I mailed a true and correct
19 copy of the Notice of Appeal, certified mail, return receipt
20 requested to:

21 Regional Solicitor
22 701 C Street Box 34
23 Anchorage, Alaska 99513

24 Kuitsarak, Inc.
25 Goodnews Bay, Alaska 99620

26 Calista Corporation
516 Denali Street
Anchorage, Alaska 99501

DEPARTMENT OF LAW
OFFICE OF THE ATTORNEY GENERAL
ANCHORAGE BRANCH
1031 W. FOURTH AVENUE, SUITE 200
ANCHORAGE, ALASKA 99501
PHONE: (907) 276-3550

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DATED: October 27, 1983

Cynthia F. Cox
Cynthia F. Cox

SUBSCRIBED AND SWORN to before me this 3 day of
November, 1983.

Jean M. Olson
Notary Public, State of Alaska
My commission expires: 10/14/85

DEPARTMENT OF LAW
OFFICE OF THE ATTORNEY GENERAL
ANCHORAGE BRANCH
1031 W. FOURTH AVENUE, SUITE 200
ANCHORAGE, ALASKA 99501
PHONE: (907) 276-3550

United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF LAND APPEALS4015 WILSON BOULEVARD
WASHINGTON, VIRGINIA 22203

STATE OF ALASKA

**Goodnews River System
Interim Summary Report
Attachment 17**

Goodnews Bay
F-14862-EE
(75.4)

IBLA 84-132

Decided May 14, 1984

Appeal from decision of the Alaska State Office, Bureau of Land Management, approving the conveyance of certain lands to Kuitsarak, Inc., without reservation of two site easements requested by the State of Alaska pursuant to section 17(b) of the Alaska Native Claims Settlement Act.

Set aside and remanded.

1. Alaska Native Claims Settlement Act: Easements: Generally

If BLM determines that a waterway through land to be conveyed pursuant to the Alaska Native Claims Settlement Act is a "major waterway," as defined in 43 CFR 2650.0-5(o), BLM must reserve in the land conveyance such public easements at periodic points along the waterway as are reasonably necessary to facilitate proper public use of the waterway after the conveyance.

2. Alaska Native Claims Settlement Act: Easements: Review

When the record of BLM's final decision concerning the reservation of public easements in the conveyance of land pursuant to the Alaska Native Claims Settlement Act does not reveal any explanation of BLM's determination not to include the reservation of particular easements timely recommended by the State of Alaska, the Board will set aside the decision and require BLM to consider the State's recommendations and provide a written explanation of its decision in response to the recommendations.

APPEARANCES: M. Francis Neville, Esq., Assistant Attorney General, State of Alaska, for the State of Alaska.

OPINION BY ADMINISTRATIVE JUDGE MULLEN

The State of Alaska has appealed the September 29, 1983, decision of the Alaska State Office, Bureau of Land Management (BLM), approving the interim conveyance of certain lands to Kuitsarak, Inc., a Native village

expressing his final decision concerning public easements to be reserved in the conveyance to Kuitsarak, Inc. The decision indicated the State Director's approval of the reservation of the two streamside easements.

Sometime in 1978 BLM suspended action on the Kuitsarak, Inc., selection application, presumably to await the Department's revision of its public easement regulations in accordance with the district court's decision in Alaska Public Easement Defense Fund v. Andrus, supra. 3/ The next pertinent document in the record is a BLM memorandum dated December 21, 1979, which presented new easement recommendations to the BLM State Director with the explanation that the recommendations were based on the new regulations. This document indicates that BLM reconsidered and rejected the proposed streamside easements along the Goodnews River and the Middle Fork of the Goodnews River. The basis for the rejection of each of these easements was stated to be: "The easement does not meet the requirements of the new easement regulations. It is recreational in nature." 4/

On July 29, 1982, the BLM State Director notified the State of the revised, proposed public easement recommendations and requested that the State provide its comments within 20 days so that BLM could consider them prior to meeting with the affected Native corporations. BLM's memorandum expressed the determination that the Goodnews River is navigable but that the streamside easements proposed to be reserved along the banks of the Goodnews River and the Middle Fork of the Goodnews River (EIN 13 DL, L; EIN 15 DL, L) were contrary to the Department's regulations. The memorandum did, however, express BLM's tentative approval of the reservation of two 1-acre site easements along the Goodnews River. One of these proposed easements (EIN 8 C4, C6) was located on an island in the Goodnews River in the SW 1/4 sec. 18 and the NE 1/4 sec. 19, T. 12 S., R. 72 W., Seward meridian; the other easement (EIN 11 C5) was located "upland of the ordinary high water mark on the left bank of the Goodnews River between two unnamed streams in NE 1/4 Sec. 2, T. 11 S., R. 72 W., Seward Meridian." BLM described both site easements as "necessary to facilitate public travel along the Goodnews River."

The record does not contain any written response by the State to BLM's request for comments; however, it does reveal that a representative of the State attended a meeting to discuss BLM's tentative easement decisions, held at the village of Goodnews Bay on October 5, 1982, and proposed the reservation of additional site easements along the Goodnews River and the Middle Fork of the Goodnews River during this meeting.

On October 26, 1982, the State provided BLM with a summary of "additional evidence to support reservation of a reasonable pattern of 17(b) easements to be reserved on lands to be conveyed to Kuitsarak, Inc., at the

3/ The Department published revised regulations in response to the district court's decision on Nov. 27, 1978, at 43 FR 55326 (codified at 43 CFR 2650.4-7).

4/ This conclusion follows from the district court's decision in Alaska Public Easement Defense Fund, supra at 677-78, and the resulting provisions of 43 CFR 2650.4-7(b).

river. There is, however, no reference in this memorandum to the additional site easements proposed for reservation by the State.

An internal memorandum dated March 3, 1983, indicates BLM's final decision regarding the navigability of water bodies within the lands selected by Kuitsarak, Inc., including the determinations that the Goodnews River and the Middle Fork of the Goodnews River are navigable waterways. An internal memorandum dated June 22, 1983, indicates BLM's final decision regarding proposed easements and its determination that the Goodnews River and the Middle Fork of the Goodnews River are major waterways. The easements approved in this memorandum are the same as those reserved in BLM's September 29, 1983, decision approving the interim conveyance of lands to Kuitsarak, Inc. Neither document contains any reference to the State's proposal for additional site easements.

In support of its appeal the State argues that the record does not show a rational basis for BLM's denial of the State's request for additional easements, and that reservation of the additional easements requested by the State is necessary to facilitate reasonable public use of the Goodnews River and the Middle Fork of the Goodnews River. As is explained below, the Board has concluded that BLM did not adequately justify its decision not to reserve the additional easements requested by the State and, therefore, remands the case to BLM for further consideration of the State's requests.

[1] Under BLM's determination that the Goodnews River and the Middle Fork of the Goodnews River are "major waterways," made pursuant to 43 CFR 2650.0-5(o), it is incumbent upon BLM to reserve such public easements "at periodic points" along these waterways as are reasonably necessary to facilitate public use of the waterways. See Alaska Public Easement Defense Fund, supra at 675-76, 677-78; 43 U.S.C. § 1616(b)(1) (1976); 43 CFR 2650.4-7(a)(1) and (b)(3). As the district court stated in Alaska Public Easement Defense Fund at page 677, the statutory authority for the reservation of such easements is "in recognition of the fact that there would be valid public uses of the State's water, even when surrounded by land withdrawn pursuant to the ANCSA," and "[t]he purpose of the easements along waterways is to provide a place for docks, campsites, and such facilities to service those who are properly using the public water."

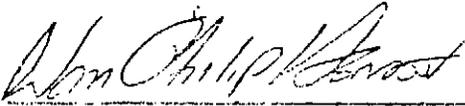
[2] It may be BLM's opinion that reservation of the additional easements urged by the State in this case is not necessary to reasonably facilitate public use of the Goodnews River and the Middle Fork of the Goodnews River. We will not attribute this position to BLM, however, for it is not apparent from the record before us that BLM gave any serious consideration to the State's proposals prior to its approval of the interim conveyance of lands to Kuitsarak, Inc., and BLM did not appear in the appeal to offer any explanation for not reserving the requested easements in the conveyance.

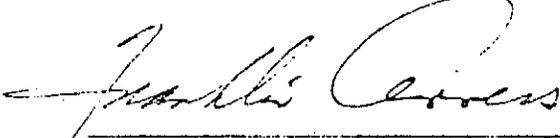
The State has presented information to BLM supporting its proposal for additional site easements along the Goodnews River to facilitate public use of that waterway. See Letter of October 26, 1982, from James E. Culbertson, Natural Resource Officer, Alaska Department of Natural Resources, to Robert

Kuitsarak, Inc., and appealed by the State of Alaska is set aside and the case is remanded to BLM for further action consistent with the Board's opinion.


R. W. Mullen
Administrative Judge

We concur:


Wm. Philip Hanson
Chief Administrative Judge


Franklin D. Arness
Administrative Judge

INTERIM CONVEYANCE

WHEREAS

Kuitsarak Inc.

is entitled to a conveyance pursuant to Secs. 14(a) and 22(j) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1613(a), 1621(j), of the surface estate in the following-described lands:

Seward Meridian, Alaska (Unsurveyed)

T. 10 S., R. 72 W.

- Secs. 18 to 23, inclusive;
- Secs. 26 to 34, inclusive;
- Sec. 35, excluding Native allotment F-15601, Native allotment litigation AA-37796 and lands formerly within Native allotment litigation AA-37801 Parcel D;
- Sec. 36, excluding Native allotments F-15605 Parcel B and F-18207 Parcel C and Native allotment litigation AA-37794 Parcel D.

Containing approximately 10,492 acres.

T. 11 S., R. 72 W.

- Sec. 2, excluding Native allotment F-15601, Native allotment litigation AA-37796 and lands formerly within Native allotment litigation AA-37801 Parcel D;
- Sec. 3, excluding Native allotment F-13777 Parcel A and Native allotment litigations AA-37808 Parcel A and AA-37796;
- Secs. 4 to 9, inclusive;
- Sec. 10, excluding Native allotments F-13776 Parcel B and F-15844 Parcel B and Native allotment litigations AA-37800 Parcel A and AA-37808 Parcel A;
- Sec. 15, excluding Native allotment F-13767 Parcel B and Native allotment litigation AA-37800 Parcel A;

**Goodnews River System
Interim Summary Report
Attachment 18**

Interim Conveyance No. 885
Date AUG 30 1984

Sec. 16, excluding Native allotment F-13767 Parcel B and Native allotment litigation AA-37802 Parcel D; Secs. 17 and 18;
Sec. 19, excluding Native allotment F-15787;
Sec. 20, excluding Native allotments F-15787 and F-18207 Parcel A and Native allotment litigation AA-37804;
Sec. 21, excluding Native allotments F-13767 Parcel B and F-18211 Parcel A and Native allotment litigations AA-37802 Parcel D and AA-37804;
Sec. 22;
Sec. 30, excluding Native allotment F-15843 and Native allotment litigation AA-52703 Parcel D;
Sec. 31.

Containing approximately 10,409 acres.

T. 12 S., R. 72 W.

Sec. 2, excluding Native allotment F-13660;
Sec. 5, excluding Native allotments F-13758 Parcel A, F-13777 Parcel C, and F-13779 Parcel A;
Sec. 6, excluding Native allotment F-13777 Parcel C;
Sec. 7;
Sec. 8, excluding Native allotment F-13758 Parcel A and Native allotment litigation AA-37795 Parcel B;
Sec. 10, excluding Native allotment F-18369 Parcel B and Native allotment litigation AA-37801 Parcel C;
Sec. 16;
Sec. 17, excluding Native allotments F-13776 Parcel A and F-15624 Parcel B and lands formerly within Native allotment litigation AA-37800 Parcel C;
Sec. 18;
Sec. 19, excluding Native allotments F-13758 Parcel B and F-13775 Parcel B;
Sec. 20, excluding Native allotments F-13776 Parcel A and F-15844 Parcel A and lands formerly within Native allotment litigation AA-37800 Parcel C;
Sec. 21.

Containing approximately 6,256 acres.

Interim Conveyance No. _____

885

Date _____

AUG 30 1984

T. 10 S., R. 73 W.

Secs. 13, 14, and 15;
Secs. 22 to 27, inclusive;
Secs. 34, 35, and 36.

Containing approximately 7,680 acres.

T. 11 S., R. 73 W.

Secs. 1, 2, and 3;
Secs. 10 to 20, inclusive;
Sec. 21, excluding Native allotment litigation AA-37795
Parcel A;
Secs. 22 to 29, inclusive;
Sec. 32;
Sec. 33, excluding Native allotment F-18207 Parcel B;
Secs. 34, 35, and 36.

Containing approximately 17,781 acres.

T. 12 S., R. 73 W.

Secs. 1 and 2, excluding Native allotment F-13780
Parcel A;
Sec. 3;
Sec. 4, excluding Native allotment F-18207 Parcel B;
Secs. 5, 6, and 7;
Secs. 8 and 9, excluding Native allotment F-15949
Parcel A;
Sec. 10, excluding Native allotment F-13766 Parcel B;
Sec. 11, excluding Native allotment F-18204;
Secs. 12 and 13;
Sec. 14, excluding Native allotment F-18204;
Sec. 15;
Sec. 16, excluding Native allotment F-15949 Parcel A;
Sec. 17 (fractional), excluding Native allotment F-13766
Parcel A and F-15949 Parcel A;
Sec. 18 (fractional), excluding Native allotment F-13766
Parcel A;
Secs. 19 and 20 (fractional);

Interim Conveyance No. _____

885

Date _____

AUG 30 1984

Sec. 21 (fractional), excluding U.S. Survey No. 2024,
U.S. Survey No. 5081, and Alaska Native Claims
Settlement Act Sec. 3(e) application AA-47528;
Sec. 22;
Sec. 23, excluding Native allotment F-15949 Parcel C;
Sec. 24, excluding Native allotment F-13775 Parcel C;
Sec. 25, excluding Native allotment F-16203 Parcel A;
Secs. 26 and 27;
Secs. 28 and 33 (fractional), excluding Native allotment
F-18209;
Secs. 34, 35, and 36.

Containing approximately 16,784 acres.

T. 10 S., R. 74 W.
Secs. 28 to 33, inclusive.

Containing approximately 3,798 acres.

T. 11 S., R. 74 W.
Secs. 4 and 5;
Secs. 8 and 9;
Secs. 13, 16, and 17;
Secs. 20, 21, and 24;
Secs. 27, 28, and 29;
Secs. 33, 34, and 35.

Containing approximately 10,240 acres.

T. 12 S., R. 74 W.
Secs. 3 and 4;
Secs. 9 and 10;
Secs. 13 to 16, inclusive;
Sec. 21, excluding Native allotment litigation AA-37800
Parcel B;
Sec. 22, excluding Native allotments F-16177 and F-16204
Parcel A;
Sec. 23, excluding Native allotment F-16177 and Native
allotment litigation AA-37799 Parcel B;

Interim Conveyance No. _____

885

Date _____

AUG 30 1984

- Sec. 24 (fractional), excluding Native allotment litigation AA-37799 Parcel B;
- Sec. 25 (fractional);
- Sec. 26 (fractional), excluding Native allotment F-16177;
- Sec. 27 (fractional), excluding Native allotments F-16177 and F-16204 Parcel A.

Containing approximately 7,793 acres.

T. 10 S., R. 75 W.

- Sec. 4;
- Sec. 5 (fractional);
- Sec. 8 (fractional), excluding Native allotment F-18210 Parcel A;
- Secs. 9 and 16;
- Sec. 17 (fractional), excluding Native allotment F-17490 Parcel A and Native allotment litigation AA-37802 Parcel A;
- Sec. 20 (fractional), excluding Native allotment F-18441 Parcel A and Native allotment litigations AA-37800 Parcel C and AA-53859 Parcel A;
- Sec. 21 (fractional);
- Secs. 25, 26, and 27;
- Sec. 28 (fractional), excluding Native allotment F-15690;
- Sec. 29 (fractional), excluding Native allotments F-15690 and F-18441 Parcel B and Native allotment litigation AA-53859 Parcel A;
- Sec. 30 (fractional), excluding Native allotment F-18441 Parcel B;
- Sec. 31 (fractional), excluding Native allotment F-18579 Parcel B;
- Sec. 32 (fractional);
- Secs. 33 to 36, inclusive.

Containing approximately 9,973 acres.

Aggregating approximately 101,206 acres.

Interim Conveyance No. _____

885

Date _____

AUG 30 1984

Excluded from the above-described lands herein conveyed are the submerged lands, up to the ordinary high water mark, beneath all water bodies determined by the Bureau of Land Management to be navigable because they have been or could be used in connection with travel, trade and commerce. Those water bodies are identified on the attached navigability maps, the original of which will be found in easement case file F-14862-EE.

Also excluded from the above-described lands herein conveyed are lands covered by tidal water up to the line of mean high tide. The actual limits of tidal influence for those water bodies, if any, will be determined at the time of survey.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES OF AMERICA, unto the above-named corporation the surface estate in the lands above described, TO HAVE AND TO HOLD the said estate with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said corporation, its successors and assigns, forever:

EXCEPTING AND RESERVING TO THE UNITED STATES from the lands so granted:

1. The subsurface estate therein, and all rights, privileges, immunities, and appurtenances, of whatsoever nature, accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1613(f); and
2. Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1616(b), the following public easements, referenced by easement identification number (EIN) on the easement maps attached to this document, copies of which will be found in case file F-14862-EE, are reserved to the United States. All easements are subject to applicable Federal, State, or Municipal corporation regulation. The following is a listing of uses allowed for each type of easement. Any uses which are not specifically listed are prohibited.

Interim Conveyance No.

885

Date

AUG 30 1984

25 Foot Trail - The uses allowed on a twenty-five (25) foot wide trail easement are: travel by foot, dogsleds, animals, snowmobiles, two- and three-wheel vehicles and small all-terrain vehicles (ATVs) (less than 3,000 lbs. Gross Vehicle Weight (GVW)).

One Acre Site - The uses allowed for a one (1) acre site easement are: vehicle parking (e.g., aircraft, boats, all-terrain vehicles (ATVs), snowmobiles, cars, trucks), temporary camping, and loading or unloading. Temporary camping, loading, or unloading shall be limited to 24 hours.

- a. (EIN 1 C3, C5, D1, D9, M) An easement twenty-five (25) feet in width for an existing and proposed access trail from Sec. 19, T. 12 S., R. 74 W., Seward Meridian, northwesterly to public lands. The proposed segments of this trail have been rerouted, where necessary, around and adjacent to the boundary of the Native allotments F-15690, FF-17490 (Parcel A), FF-18210 (Parcel A), and connecting with the existing trail. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use will be limited to winter.
- b. (EIN 3 C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from the shore of Goodnews Bay in Sec. 20, T. 12 S., R. 74 W., Seward Meridian, northerly to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.
- c. (EIN 4 C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing and proposed access trail from Sec. 21, T. 12 S., R. 73 W.,

Interim Conveyance No. _____

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25 Foot Trail - The uses allowed on a twenty-five (25) foot wide trail easement are: travel by foot, dogsleds, animals, snowmobiles, two- and three-wheel vehicles, and small all-terrain vehicles (ATVs) (less than 3,000 lbs. Gross Vehicle Weight (GVW)).

One Acre Site - The uses allowed for a one (1) acre site easement are: vehicle parking (e.g., aircraft, boats, all-terrain vehicles (ATVs), snowmobiles, cars, trucks), temporary camping, and loading or unloading. Temporary camping, loading, or unloading shall be limited to 24 hours.

- a. (EIN 1 C3, C5, D1, D9, M) An easement twenty-five (25) feet in width for an existing and proposed access trail from Sec. 19, T. 12 S., R. 74 W., Seward Meridian, northwesterly to public lands. The proposed segments of this trail have been rerouted, where necessary, around and adjacent to the boundary of the Native allotments F-15690, FF-17490 (Parcel A), FF-18210 (Parcel A), and connecting with the existing trail. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use will be limited to winter.
- b. (EIN 3 C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from the shore of Goodnews Bay in Sec. 20, T. 12 S., R. 74 W., Seward Meridian, northerly to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.
- c. (EIN 4 C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing and proposed access trail from Sec. 21, T. 12 S., R. 73 W.,

Interim Conveyance No. _____

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Date _____

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Seward Meridian, northeasterly to public lands. The proposed segments of this trail have been rerouted, where necessary, around and adjacent to the boundary of Native allotments FF-13777 (Parcel A), FF-15601, FF-15787, FF-15843, FF-18207 (Parcel A), F-15605 (Parcel B), and connecting with the existing trail. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use will be limited to winter.

- d. (EIN 8 C4, C6) A one (1) acre site easement upland of the ordinary high water mark on an island in the Goodnews River in the approximate SW4, Sec. 18 and NW4, Sec. 19, T. 12 S., R. 72 W., Seward Meridian. The uses allowed are those listed above for a one (1) acre site.
- e. (EIN 9 C3, D1, D9) An easement twenty-five (25) feet in width for a proposed access trail from a slough off the Goodnews River, in the NE4, Sec. 25, T. 12 S., R. 73 W., Seward Meridian, easterly to public land. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to winter.
- f. (EIN 11 C5) A one (1) acre site easement upland of the ordinary high water mark on the left bank of the Goodnews River between two unnamed streams in Sec. 2, T. 11 S., R. 72 W., Seward Meridian. The uses allowed are those listed above for a one (1) acre site.
- g. (EIN 11a.C5) An easement twenty-five (25) feet in width for a proposed access trail from site EIN 11 C5 in Sec. 2, T. 11 S., R. 72 W., Seward Meridian, easterly to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

Interim Conveyance No. 885
Date AUG 30 1984

- h. (EIN 12 C5) An easement for an existing access trail twenty-five (25) feet in width from trail EIN 4 C3, C4, D1, D9 in Sec. 3, T. 12 S., R. 73 W., Seward Meridian, westerly to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.
- i. (EIN 14 C5) An easement twenty-five (25) feet in width for an existing access trail from Platinum trail EIN 3 D1, D9, in Sec. 6, T. 13 S., R. 73 W., Seward Meridian, northwesterly to the Goodnews River. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to winter.

THE GRANT OF THE ABOVE-DESCRIBED LANDS IS SUBJECT TO:

- 1. Issuance of a patent after approval and filing by the Bureau of Land Management of the official plat of survey confirming the boundary description and acreage of the lands hereinabove granted;
- 2. Valid existing rights therein, if any, including but not limited to those created by any lease (including a lease issued under Sec. 6(g) of the Alaska Statehood Act of July 7, 1958, 48 U.S.C. Ch. 2, Sec. 6(g)), contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2) of the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), 43 U.S.C. 1601, 1616(b)(2), any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law;
- 3. Airport Lease, F-19463, located in Secs. 21 and 22, T. 12 S., R. 73 W., Seward Meridian, issued to the State of Alaska, Department of Public Works, Division

Interim Conveyance No. _____

885

Date _____

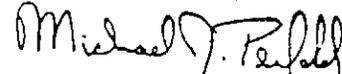
AUG 30 1984

of Aviation (now Department of Transportation and Public Facilities) under the provisions of the Act of May 24, 1928, 49 U.S.C. 211-214;

4. Airport Lease, F-031560, as amended, located in Secs. 21 and 28, T. 12 S., R. 73 W., Seward Meridian, issued to the State of Alaska, Department of Public Works, Division of Aviation (now Department of Transportation and Public Facilities) under the provisions of the Act of May 24, 1928, 49 U.S.C. 211-214;
5. Right-of-way, F-12542, as amended, for a power plant site located in Sec. 21, T. 12 S., R. 73 W., Seward Meridian, granted to Alaska Village Electric Cooperative, Inc., under the provisions of the Act of March 4, 1911, 43 U.S.C. 961; and
6. Requirements of Sec. 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1613(c), that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section.

IN WITNESS WHEREOF, the undersigned authorized officer of the Bureau of Land Management has, in the name of the United States, set his hand and caused the seal of the Bureau to be hereunto affixed on this 30th day of August, 1984, in Anchorage, Alaska.

UNITED STATES OF AMERICA



State Director

Interim Conveyance No. _____

885

Date _____

AUG 30 1984

INTERIM CONVEYANCE

WHEREAS

Calista Corporation

is entitled to a conveyance pursuant to Secs. 14(f) and 22(j) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1613(f), 1621(j), of the subsurface estate reserved to the United States in the hereinbelow-identified interim conveyance of the surface estate in the following-described lands:

Interim Conveyance No. 885

Seward Meridian, Alaska (Unsurveyed)

T. 10 S., R. 72 W.

Secs. 18 to 23, inclusive;

Secs. 26 to 34, inclusive;

Sec. 35, excluding Native allotment F-15601, Native allotment litigation AA-37796 and lands formerly within Native allotment litigation AA-37801 Parcel D;

Sec. 36, excluding Native allotments F-15605 Parcel B and F-18207 Parcel C and Native allotment litigation AA-37794 Parcel D.

Containing approximately 10,492 acres.

T. 11 S., R. 72 W.

Sec. 2, excluding Native allotment F-15601, Native allotment litigation AA-37796 and lands formerly within Native allotment litigation AA-37801 Parcel D;

Sec. 3, excluding Native allotment F-13777 Parcel A and Native allotment litigations AA-37808 Parcel A and AA-37796;

Secs. 4 to 9, inclusive;

Sec. 10, excluding Native allotments F-13776 Parcel B and F-15844 Parcel B and Native allotment litigations AA-37800 Parcel A and AA-37808 Parcel A;

Interim Conveyance No. 886

Date AUG 30 1984

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F-14862-A

- Sec. 15, excluding Native allotment F-13767 Parcel B and Native allotment litigation AA-37800 Parcel A;
- Sec. 16, excluding Native allotment F-13767 Parcel B and Native allotment litigation AA-37802 Parcel D;
- Secs. 17 and 18;
- Sec. 19, excluding Native allotment F-15787;
- Sec. 20, excluding Native allotments F-15787 and F-18207 Parcel A and Native allotment litigation AA-37804;
- Sec. 21, excluding Native allotments F-13767 Parcel B and F-18211 Parcel A and Native allotment litigations AA-37802 Parcel D and AA-37804;
- Sec. 22;
- Sec. 30, excluding Native allotment F-15843 and Native allotment litigation AA-52703 Parcel D;
- Sec. 31.

Containing approximately 10,409 acres.

T. 12 S., R. 72 W.

- Sec. 2, excluding Native allotment F-13660;
- Sec. 5, excluding Native allotments F-13758 Parcel A, F-13777 Parcel C, and F-13779 Parcel A;
- Sec. 6, excluding Native allotment F-13777 Parcel C;
- Sec. 7;
- Sec. 8, excluding Native allotment F-13758 Parcel A and Native allotment litigation AA-37795 Parcel B;
- Sec. 10, excluding Native allotment F-18369 Parcel B and Native allotment litigation AA-37801 Parcel C;
- Sec. 16;
- Sec. 17, excluding Native allotments F-13776 Parcel A and F-15624 Parcel B and lands formerly within Native allotment litigation AA-37800 Parcel C;
- Sec. 18;
- Sec. 19, excluding Native allotments F-13758 Parcel B and F-13775 Parcel B;
- Sec. 20, excluding Native allotments F-13776 Parcel A and F-15844 Parcel A and lands formerly within Native allotment litigation AA-37800 Parcel C;
- Sec. 21.

Containing approximately 6,256 acres.

Interim Conveyance No. _____

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Date _____

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T. 10 S., R. 73 W.
Secs. 13, 14, and 15;
Secs. 22 to 27, inclusive;
Secs. 34, 35, and 36.

Containing approximately 7,680 acres.

T. 11 S., R. 73 W.
Secs. 1, 2, and 3;
Secs. 10 to 20, inclusive;
Sec. 21, excluding Native allotment litigation AA-37795
Parcel A;
Secs. 22 to 29, inclusive;
Sec. 32;
Sec. 33, excluding Native allotment F-18207 Parcel B;
Secs. 34, 35, and 36.

Containing approximately 17,781 acres.

T. 12 S., R. 73 W.
Secs. 1 and 2, excluding Native allotment F-13780
Parcel A;
Sec. 3;
Sec. 4, excluding Native allotment F-18207 Parcel B;
Secs. 5, 6, and 7;
Secs. 8 and 9, excluding Native allotment F-15949
Parcel A;
Sec. 10, excluding Native allotment F-13766 Parcel B;
Sec. 11, excluding Native allotment F-18204;
Secs. 12 and 13;
Sec. 14, excluding Native allotment F-18204;
Sec. 15;
Sec. 16, excluding Native allotment F-15949 Parcel A;
Sec. 17 (fractional), excluding Native allotment F-13766
Parcel A and F-15949 Parcel A;
Sec. 18 (fractional), excluding Native allotment F-13766
Parcel A;
Secs. 19 and 20 (fractional);

Interim Conveyance No. _____

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Date _____

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Sec. 21 (fractional), excluding U.S. Survey No. 2024,
U.S. Survey No. 5081, and Alaska Native Claims
Settlement Act Sec. 3(e) application AA-47528;
Sec. 22;
Sec. 23, excluding Native allotment F-15949 Parcel C;
Sec. 24, excluding Native allotment F-13775 Parcel C;
Sec. 25, excluding Native allotment F-16203 Parcel A;
Secs. 26 and 27;
Secs. 28 and 33 (fractional), excluding Native allotment
F-18209;
Secs. 34, 35, and 36.

Containing approximately 16,784 acres.

T. 10 S., R. 74 W.
Secs. 28 to 33, inclusive.

Containing approximately 3,798 acres.

T. 11 S., R. 74 W.
Secs. 4 and 5;
Secs. 8 and 9;
Secs. 13, 16, and 17;
Secs. 20, 21, and 24;
Secs. 27, 28, and 29;
Secs. 33, 34, and 35.

Containing approximately 10,240 acres.

T. 12 S., R. 74 W.
Secs. 3 and 4;
Secs. 9 and 10;
Secs. 13 to 16, inclusive;
Sec. 21, excluding Native allotment litigation AA-37800
Parcel B;
Sec. 22, excluding Native allotments F-16177 and F-16204
Parcel A;
Sec. 23, excluding Native allotment F-16177 and Native
allotment litigation AA-37799 Parcel B;

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F-14862-A

- Sec. 24 (fractional), excluding Native allotment litigation AA-37799 Parcel B;
- Sec. 25 (fractional);
- Sec. 26 (fractional), excluding Native allotment F-16177;
- Sec. 27 (fractional), excluding Native allotments F-16177 and F-16204 Parcel A.

Containing approximately 7,793 acres.

T. 10 S., R. 75 W.

- Sec. 4;
- Sec. 5 (fractional);
- Sec. 8 (fractional), excluding Native allotment F-18210 Parcel A;
- Secs. 9 and 16;
- Sec. 17 (fractional), excluding Native allotment F-17490 Parcel A and Native allotment litigation AA-37802 Parcel A;
- Sec. 20 (fractional), excluding Native allotment F-18441 Parcel A and Native allotment litigations AA-37800 Parcel C and AA-53859 Parcel A;
- Sec. 21 (fractional);
- Secs. 25, 26, and 27;
- Sec. 28 (fractional), excluding Native allotment F-15690;
- Sec. 29 (fractional), excluding Native allotments F-15690 and F-18441 Parcel B and Native allotment litigation AA-53859 Parcel A;
- Sec. 30 (fractional), excluding Native allotment F-18441 Parcel B;
- Sec. 31 (fractional), excluding Native allotment F-18579 Parcel B;
- Sec. 32 (fractional);
- Secs. 33 to 36, inclusive.

Containing approximately 9,973 acres.

Aggregating approximately 101,206 acres.

Interim Conveyance No. _____

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Excluded from the above-described lands herein conveyed are the submerged lands, up to the ordinary high water mark, beneath all water bodies determined by the Bureau of Land Management to be navigable because they have been or could be used in connection with travel, trade and commerce. Those water bodies are identified on the attached navigability maps, the original of which will be found in easement case file F-14862-EE.

Also excluded from the above-described lands herein conveyed are lands covered by tidal water up to the line of mean high tide. The actual limits of tidal influence for those water bodies, if any, will be determined at the time of survey.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES OF AMERICA, unto the above-named corporation the subsurface estate in the lands above described, TO HAVE AND TO HOLD the said estate with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said corporation, its successors and assigns, forever:

THE GRANT OF THE ABOVE-DESCRIBED LANDS IS SUBJECT TO:

1. All the easements and rights-of-way reserved in the aforementioned conveyance of the surface estate, and to valid existing rights, therein, if any, in the said subsurface estate, including but not limited to those created by any lease (including a lease issued under Sec. 6(g) of the Alaska Statehood Act of July 7, 1958, 48 U.S.C. Ch. 2, Sec. 6(g)), contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him;
2. The requirements of Sec. 14(f) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1613(f), that the right to explore, develop, or remove minerals from the subsurface estate in the lands

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Date _____

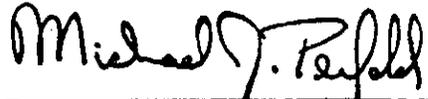
AUG 30 1984

herein conveyed which are within the boundaries of the Native village of Goodnews Bay shall be subject to the consent of Kuitsarak Inc.; and

3. Issuance of a patent after approval and filing by the Bureau of Land Management of the official plat of survey confirming the boundary description and acreage of the lands hereinabove granted.

IN WITNESS WHEREOF, the undersigned authorized officer of the Bureau of Land Management has, in the name of the United States, set his hand and caused the seal of the Bureau to be hereunto affixed on this 30th day of August, 1984, in Anchorage, Alaska.

UNITED STATES OF AMERICA



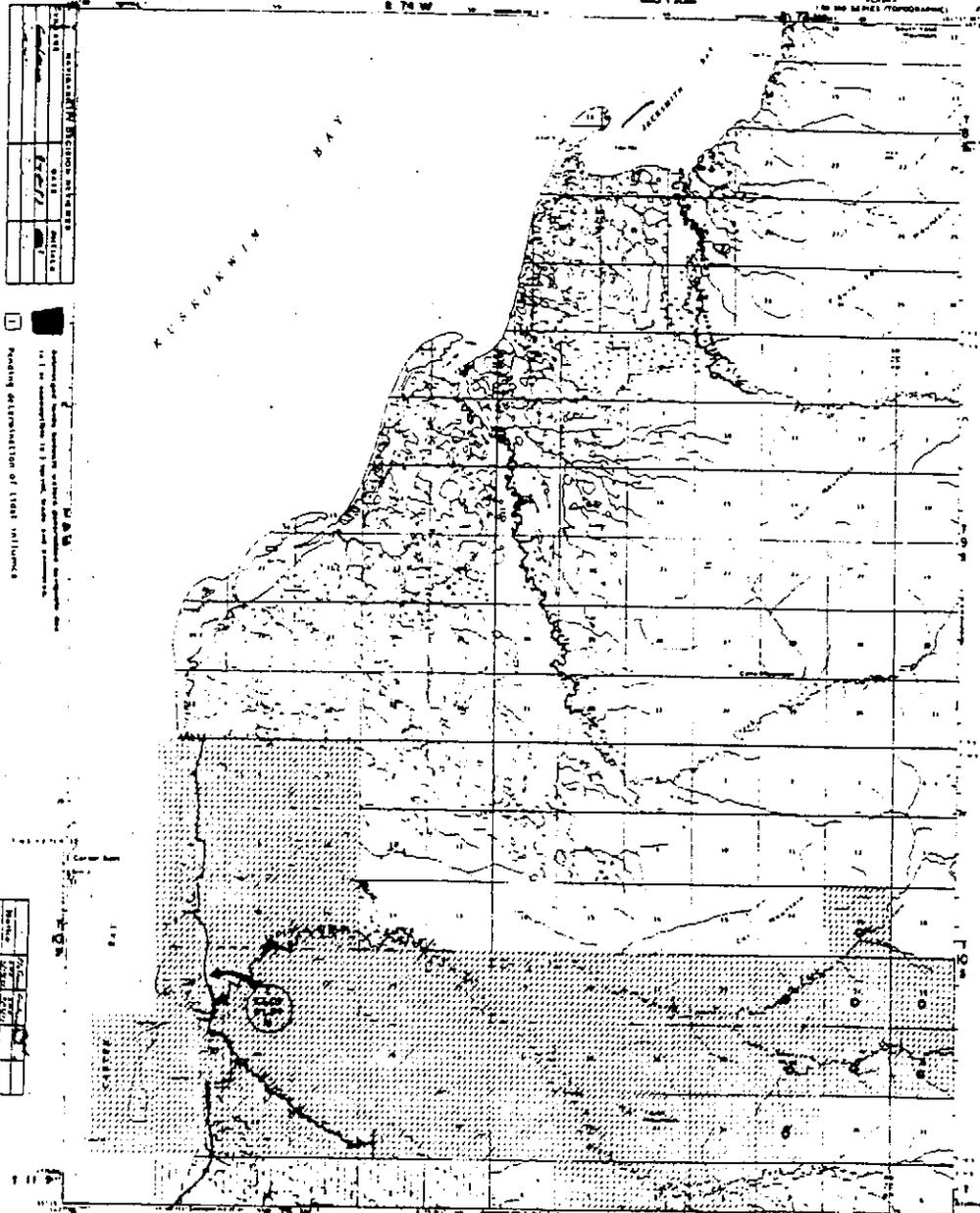
State Director

Interim Conveyance No.

886

Date

AUG 30 1984



1	Platinum Village Selection
2	Goodnews Bay Village Selection

1
Pending determination of 1981-1982

1	Platinum Village Selection
2	Goodnews Bay Village Selection

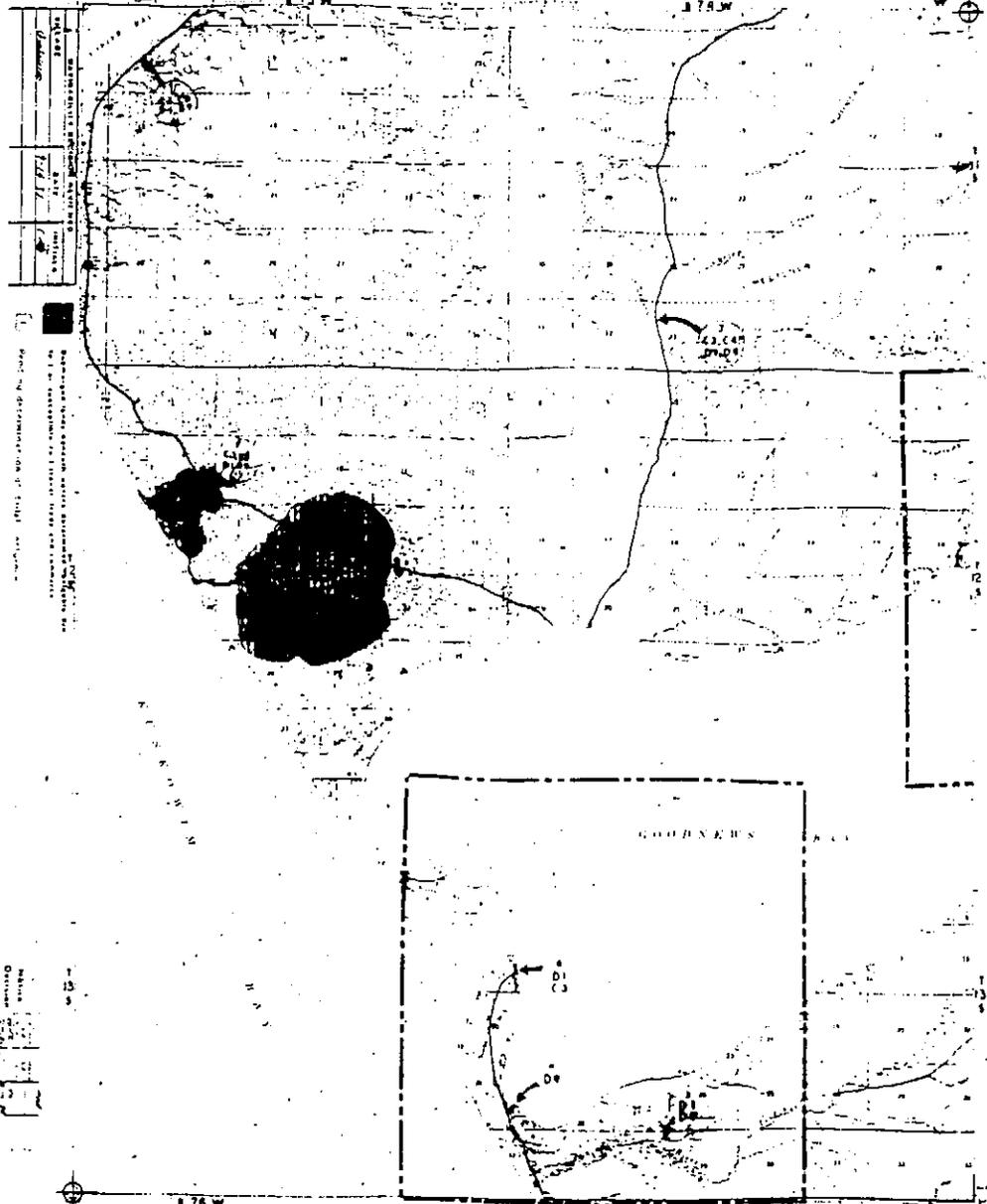
PLATINUM VILLAGE SELECTION
Application of Dec. 17, 1974
Represents nearest village selection
Application may be less than 640 acres

GOODNEWS BAY VILLAGE SELECTION
Application of Dec. 17, 1974
Represents nearest village selection
Application may be less than 640 acres

Bureau of Land Management
Alaska State Office
Anchorage, Alaska
DATE
AUG 30 1984

I hereby certify that this reproduction is a copy of the original record on file
Anna Johnson
AUTHORIZED SIGNATURE
885

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
ALASKA
GEOLOGICAL SURVEY



PLATINUM VILLAGE SELECTION GOODNEWS BAY VILLAGE SELECTION

Application of Dec 17 1974

Represents **Actual** and **Selected** (Application number is 100-240-1000)

0-Over-Selections

--- City Section

Bureau of Land Management
Alaska State Office

AUG 30 1984 Anchorage, Alaska
DATE

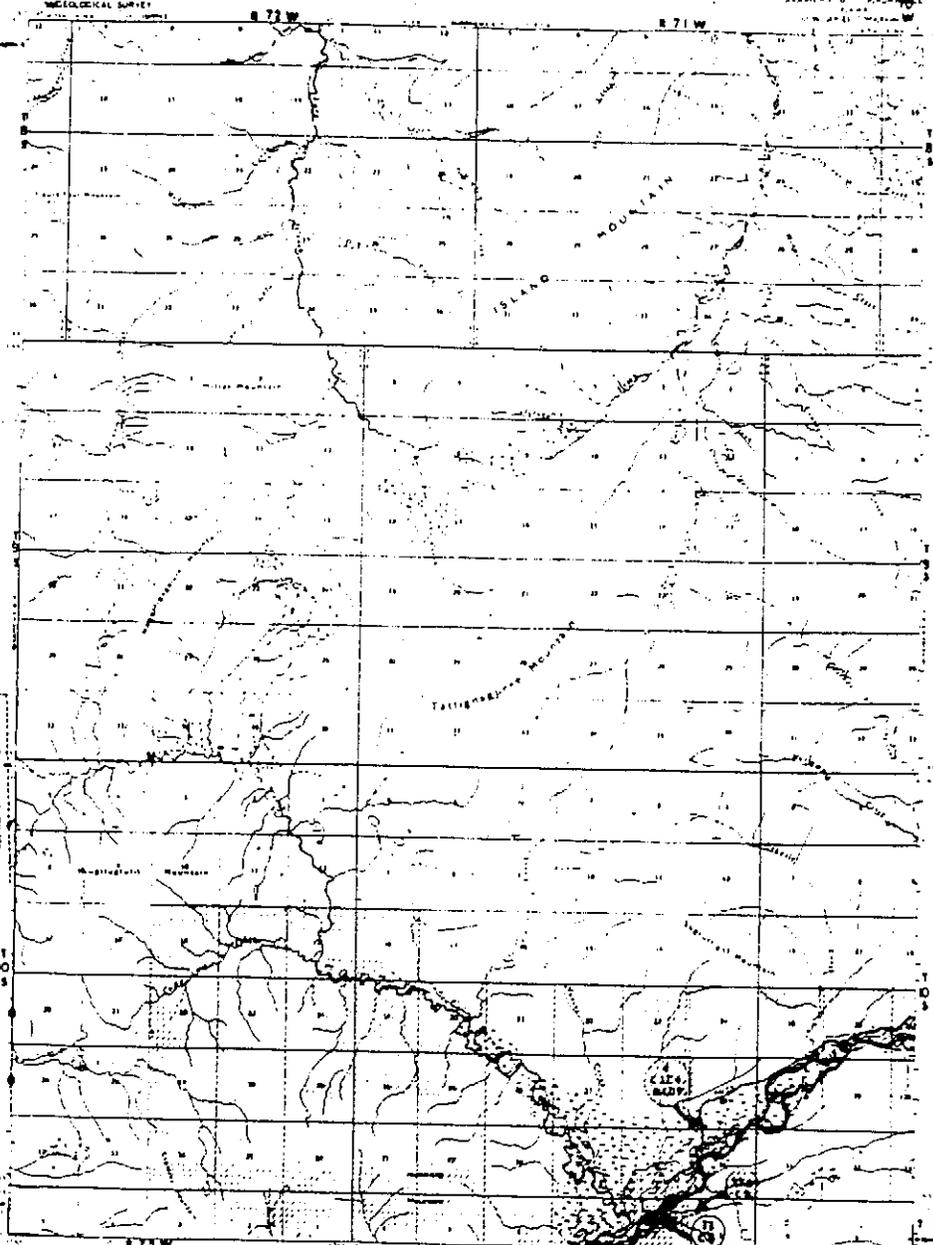
I hereby certify that this
is a true and correct copy of
the original record on file
in this office.
Allen Johnson
AUTHORIZED SIGNATURE

885

DATE	SECTION	REMARKS

1. Findings of the investigation of the land selection.

CACINS
C. A. CACINS
C. A. CACINS
C. A. CACINS



GOODNEWS BAY VILLAGE SELECTION

Application of Dec 17 1924

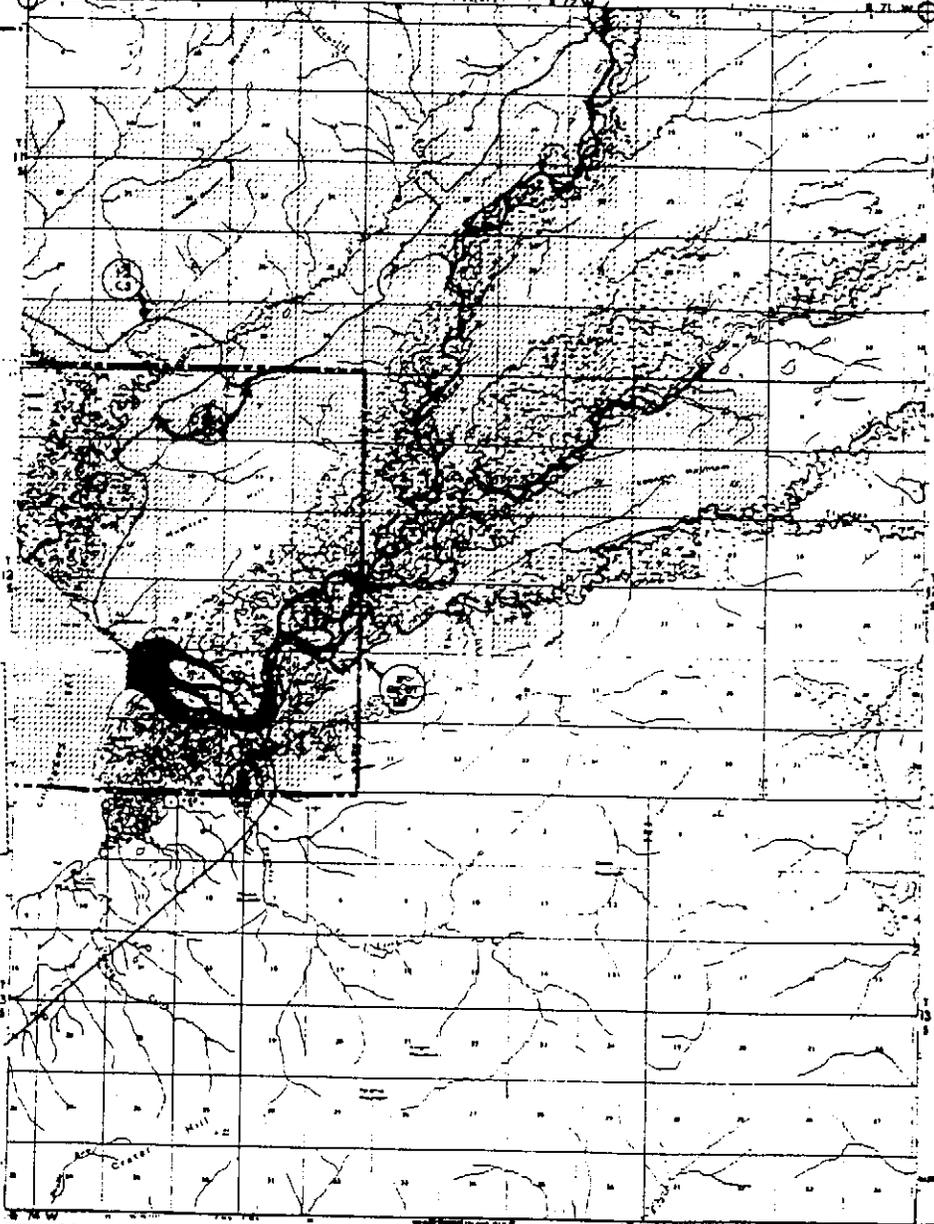
Bureau of Land Management
Alaska State Office
AUG 30 1984
Anchorage, Alaska
DATE

885

I hereby certify that this reproduction is a true and correct copy of the official record as shown in this office.

Anne Johnson
AUTHORIZED SIGNATURE

PLATINUM	14-T	14-T	14-T
14-T	14-T	14-T	14-T
14-T	14-T	14-T	14-T
14-T	14-T	14-T	14-T



PLATINUM VILLAGE SELECTION
Application of Dec 17, 1974

GODDNEWS BAY VILLAGE SELECTION
Application of Dec 17, 1974

PLATINUM VILLAGE SELECTION
Application of Dec 17, 1974

GODDNEWS BAY VILLAGE SELECTION
Application of Dec 17, 1974

Represents nearest...
(application may be less than 640 acres)

Represents nearest...
(application may be less than 640 acres)

0 - Over-Selections

Core Township

Bureau of Land Management
Alaska State Office
AUG 30 1984 Anchorage, Alaska
DATE

I hereby certify that this reproduction is a copy of the official record on file in this office.
Ann Johnson
AUTHORIZED SIGNATURE

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**Goodnews River System
Interim Summary Report
Attachment 19**

F-14862-GE (75.4)
F-14862-A (2561)
2650 (041)

revised 5/1/1987

SD
5/4/87

6 MAY 1987

Memorandum

To: Chief, Branch of Calista Adjudication

From: Anchorage District Manager

Subject: Amendment of Final Easement Memorandum dated June 22, 1983, for Lands to be Conveyed to Kuitsarak, Inc.

On June 23, 1983, a final Easement Memorandum was issued for lands to be conveyed to Kuitsarak, Inc. in the vicinity of Goodnews Bay.

The Decision to issue Conveyance, issued September 29, 1983, was appealed by the State of Alaska. The State of Alaska charged that the Bureau of Land Management (BLM) failed to reserve enough site easements to facilitate a reasonable pattern of travel along the Goodnews River and the Middle Fork of the Goodnews River.

Upon review of the casefile record, the Interior Board of Land Appeals (IBLA) found that BLM's documentation of the decision making process was inadequate, and directed BLM to document the casefile, re-evaluate the evidence, and determine whether additional easements need to be reserved along these rivers.

BLM's re-evaluation of the June 22, 1983 Easement Memorandum, in light of evidence collected since December 1985, has lead to our decision to reserve additional easements within the following lands:

Seward Meridian, Alaska

T. 11 S., R. 72 W. (Unsurveyed)

Section 29: All

Section 32: All

T. 12 S., R. 72 W. (Unsurveyed)

Section 3: All

Section 9: All

Containing approximately 2,560 acres.

EASEMENTS TO BE RESERVED:

e. (EIN 18, C5,D1) A one acre site easement upland of the ordinary high water along the southeastern portion of an island in the Goodnews River in the N1/2

Section 29, T. 11 S., R. 72 W., Seward Meridian. This site easement will be located so as to not conflict with Native allotment F-15949B. The uses allowed are those listed in the Easement Memorandum of June 22, 1983, for a one (1) acre site.

DISCUSSION:

BLM found (memo dated September 22, 1986) that the length of time required to float between EIN 11 C5 and EIN 8, C4, C6 under normal conditions was excessive, and would require long hours of travel without stopping for meals, rest, or sleep. This, it was judged, does not facilitate a reasonable pattern of travel on the Goodnews River. In inclement weather, this trip could become dangerous to the public using the waterway. BLM's field experiences corroborated the documentation provided by guides who frequently travel on the Goodnews River.

Therefore, in order to facilitate public use of this waterway, BLM has decided reservation of this easement is necessary. The easement is not being reserved for recreational purposes, but rather to accommodate transportation along, to and from the state waterway.

f. (EIN 19, C5, D1) A one acre site easement upland of the ordinary high water along the right bank of the Middle Fork of the Goodnews River in the N 1/2 Section 3, T. 12 S., R. 72 W., Seward Meridian. The uses allowed are those listed in the Easement Memorandum of June 22, 1983, for a one (1) acre site.

DISCUSSION:

BLM found (Memo dated September 22, 1986) that the length of time required to float between public land in Sec. 23, T. 11 S., R. 71 W., Seward Meridian, and EIN 8, C4, C6 under normal conditions was excessive, and would require long hours of travel without stopping for meals, rest, or sleep. This, it was judged, does not facilitate a reasonable period of travel on the Middle Fork of the Goodnews River. In inclement weather, this trip could become dangerous to the public using the waterway. BLM's field experiences corroborated the documentation provided by guides who frequently travel on the Middle Fork of the Goodnews River.

Therefore, in order to facilitate public use of this waterway, BLM has decided reservation of this easement is necessary. The easement is not being reserved for recreational purposes, but rather to accommodate transportation along, to and from the State waterway.

All other easements as listed in the June 22, 1983 final Easement Memorandum remain the same.

/s/ John J. Rumps

John J. Rumps

Attachment:

Goodnews A-7 Easement Quadrangle

Copies Furnished to:

Mr. Jim Culbertson, Natural Resource Manager
Division of Lands and Water Management
State of Alaska/DNR
Pouch 7-005
Anchorage, Alaska 99510

Mr. William H. Mattice
Chief, Division of Realty
U.S. Fish and Wildlife Service
1011 Tudor Road
Anchorage, Alaska 99503

Mr. Joe Martin, Sr.
Land Planner
Kuitsarak Corporation, Inc.
Goodnews Bay, Alaska 99589

Ms. Elizabeth LeBlanc, Land Planner
Calista Corporation
516 Denali Street
Anchorage, Alaska 99501

Mr. David A. Fisher
Refuge Manager
Togiak National Wildlife Refuge
P.O. Box 10201
Dillingham, Alaska 99576

Mr. Ronald B. Hyde
Alaska River Safaris
4909 Rollins
Anchorage, Alaska 99508

041:MJensen:24340:ml:4/9/87:X244

a. Chavez 10-16-87
J. Pruitt 10/20/87

**Goodnews River System
Interim Summary Report
Attachment 20**

F-14862-A (2651)
F-14862-A2 (2651)
✓ F-14862-EE (75.4)
(963)

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

OCT 20 1987

DECISION

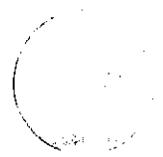
Kuitsarak, Inc.	:	F-14862-A, F-14862-A2
Goodnews Bay, Alaska 99620	:	Village Selections
	:	
Calista Corporation	:	
516 Denali Street	:	
Anchorage, Alaska 99501	:	

Decision of September 29, 1983, Modified in Part

The purpose of this decision is to modify the Decision to Issue Conveyance (DIC) to Kuitsarak, Inc. of September 29, 1983. On November 3, 1983, the State of Alaska appealed that Decision to the Interior Board of Land Appeals (IBLA). On May 14, 1984, IBLA issued an order and remand of lands in Secs. 29 and 32, T. 11 S., R. 72 W., and Secs. 3 and 9, T. 12 S., R. 72 W., Seward Meridian, in the DIC, for the Bureau of Land Management (BLM) to further investigate the need for additional site easements as requested by the State of Alaska. An amendment to the Final Easement Memorandum of June 22, 1983, was subsequently issued May 6, 1987.

Therefore, the conveyance issued for the surface estate of the lands described above shall contain the following reservations to the United States.

1. The subsurface estate therein, and all rights, privileges, immunities, and appurtenances, of whatsoever nature accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1613(f); and



2. Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1616(b), the following public easements, referenced by easement identification number (EIN) on the easement maps attached to this document, copies of which will be found in case file F-14862-EE, are reserved to the United States. All easements are subject to applicable Federal, State or Municipal corporation regulation. The following is a listing of uses allowed for this type of easement. Any uses which are not specifically listed are prohibited.

One Acre Site - The uses allowed for a one (1) acre site easement are: vehicle parking (e.g., aircraft, boats, ATVs, snowmobiles, cars, trucks), temporary camping, and loading or unloading. Temporary camping, loading, or unloading shall be limited to 24 hours.

- j. (EIN 18, C5, D1) A one acre site easement upland of the ordinary high water along the southeastern portion of an island in the Goodnews River in the N2 Section 29, T. 11 S., R. 72 W., Seward Meridian. This site easement will be located so it does not conflict with Native allotment F-15949, Parcel B. The uses allowed are those listed above for a one (1) acre site.
- k. (EIN 19, C5, D1) A one acre site easement upland of the ordinary high water along the right bank of the Middle Fork of the Goodnews River in the N2 Section 3, T. 12 S., R. 72 W., Seward Meridian. The uses allowed are those listed above for a one (1) acre site.

In addition, prior to remand, Native allotment AA-53859, Parcel C, was not excluded in the DIC of September 29, 1983. The Native allotment was published on November 1, 1984, pursuant to the settlement agreement in Fanny Barr v. United States. The published location describes Native allotment application AA-53859, Parcel C, in Sec. 32, T. 11 S., R. 72 W., Seward Meridian, and the field examination of July 5, 1986, verifies this location. Therefore, the decision of September 29, 1983, is modified to exclude Native allotment AA-53859, Parcel C, in its present location.

Enclosed are copies of current status plats of the subject lands along with maps depicting the additional reserved easements.

An appeal from this decision may be taken to the Interior Board of Land Appeals, Office of Hearings and Appeals, in accordance with the attached regulations in 43 CFR Part 4, Subpart E.

If an appeal is taken, the notice of appeal must be filed in the Bureau of Land Management, Alaska State Office, Division of Conveyance Management (960), 701 C Street, Box 13, Anchorage, Alaska 99513 within 30 days of receipt of this decision. Do not send the appeal directly to the Board. The appeal and copies of pertinent case files will be sent to the Board from this office. The regulations also require the appellant to serve a copy of the notice of appeal, statement of reasons and written arguments or briefs upon the Regional Solicitor, 701 C Street, Box 34, Anchorage, Alaska 99513.

To avoid summary dismissal of the appeal, there must be strict compliance with the regulations governing such appeals. (See enclosed DOI Form 1842-1.)

If an appeal is filed, the parties to be served are the addressees identified in the caption on page one of this decision.

Except as modified by this decision, the decision of September 29, 1983, stands as written.

ANN JOHNSON

Ann Johnson
Chief, Branch of Calista Adjudication

Enclosures:

MTPs
Easement Maps
DOI Form 1842-1
Appeal Regulations

Copies furnished to:

Department of Transportation
and Public Facilities
Pouch 6900
Anchorage, Alaska 99502

U.S Department of the Army
Alaska District Corps of Engineers
P.O. Box 7002
Anchorage, Alaska 99510

Commander (MFS-Z)
MLC PAC
Attn: Jerry Olmes
Coast Guard Island
Alameda, California 94501-5100

Mr. Earle Williams (flp)
17th Coast Guard District
P.O. Box 3-5000
Juneau, Alaska 99802

Traditional Council of Goodnews
General Delivery
Goodnews Bay, Alaska 99589

Alaska Legal Services Corporation
P.O. Box 248
Bethel, Alaska 99559

Mr. Jim Culbertson, Natural Resource Manager
Division of Lands and Water Management
State of Alaska/DNR
Pouch 7-005
Anchorage, Alaska 99510

Mr. William H. Mattice
Chief, Division of Realty
U.S. Fish and Wildlife Service
1011 Tudor Road
Anchorage, Alaska 99503

Mr. Joe Martin, Sr.
Land Planner
Kuitsarak Corporation, Inc.
Goodnews Bay, Alaska 99589

Ms. Elizabeth LeBlanc, Land Planner
Calista Corporation
516 Denali Street
Anchorage, Alaska 99501

Mr. David A. Fisher
Refuge Manager
Togiak National Wildlife Refuge
P.O. Box 10201
Dillingham, Alaska 99576

Mr. Ronald B. Hyde
Alaska River Safaris
4909 Rollins
Anchorage, Alaska 99508

cc:

DM-A (040)

AA-53859 (2561)

Calista Reading File (963)

963:ACHavez:lm:10-13-87:0839s

()
JRM 5/31/88
CMBrown 6/1/88
KARSTETTER 6/6/88

**Goodnews River System
Interim Summary Report
Attachment 21**

Goodnews-CS-FY'88-#3
Hagemeister Island-CS-FY'88-#1
Kuskokwim Bay-CS-FY'88-#2
✓ F-14862 (75.4)
F-14920 (75.4)
(961)

JUN 06 1988

Memorandum

To: Deputy State Director for Cadastral Survey (920)
From: Deputy State Director for Conveyance Management (960)
Subject: Navigable Waters in Group Survey No. 194 (Window 1704)

This memorandum identifies navigable water bodies on lands in Group Survey No. 194 (Goodnews Bay) that are selected (but not conveyed) under the Alaska Native Claims Settlement Act (ANCSA). The memorandum also identifies navigable waters excluded from ANCSA conveyances. The sixty-two townships in the group survey are described in Table 1. Over one-half of these lands are within the Togiak National Wildlife Refuge (NWR). The table identifies navigable waters that must be segregated on the survey plats. Streams 198 feet or more in width and lakes 50 acres or more in size are not listed in the table because they are excluded on the survey plats regardless of their navigability. The BLM's Photogrammetry Section has completed the meandering of water bodies for this group survey and the overlays were reviewed for this report. Goodnews River and Middle Fork Goodnews River have been meandered by reason of size throughout the report area. South Fork Goodnews River (less than three chains wide) also has been meandered.

The BLM's criteria for navigability determinations are described in a memorandum of March 16, 1976, from the Associate Solicitor, Division of Energy and Resources, to the Director, Bureau of Land Management (BLM), subject "Title to submerged lands for purposes of administering ANCSA": the Alaska Native Claims Appeal Board's (ANCAB) decision of December 14, 1979, on the navigability of the Nation and Kandik rivers (RLS 76-2); the Regional Solicitor's February 25, 1980 interpretation of the ANCAB decision; and dicta in the U.S. District Court's decision (Case No. A80-359 Civ.) of April 16, 1987, on the navigability of the Gulkana River. In general, the BLM considers nontidal water bodies navigable if they were navigable by crafts larger than a one-person kayak at the time of Statehood.

For this report Dave Rukke of the Navigability Section interviewed the following people:

<u>Name</u>	<u>Date(s)</u>	<u>Phone Number and Background</u>
Keith Schultz	11/4/86	(543-2433) ADF&G, Bethel
Joseph Martin Sr.	11/5/86	(967-8511) Kuitsaruk Inc.
Battle Amerit	11/5/86	(967-8511) Goodnews Bay resident
Willie Eechuck	11/5/86	(979-8127) Platinum resident
James Bright	11/6/86	(967-8515) Goodnews Bay resident
William Walter	11/6/86	(967-8311) Goodnews Bay council
Dave Fisher	11/6/86	(967-8311) Togiak NWR, Dillingham
Walter Galila	11/7/86	(967-8414) Goodnews Bay resident
Ron Hyde	11/7/86	(333-2860) AK River Safari, Anch.
Ron Hyde Jr.	11/12/86	(333-2860) AK River Safari, Anch.
Ron Hyde	11/14/86	(333-2860) AK River Safari, Anch.
Peter Samuals	11/14/86	(979-8114) Mayor, Platinum
James Akuerilea	11/18/86	(279-5516) Calista Corporation
Oscar Snyder	11/18/86	(979-5516) Platinum resident
George Dahl	11/19/86	(543-3494) F&W Protection, Bethel
Ron Whittom	11/19/86	(543-3350) Miner, Bethel
Ron Hyde Jr.	11/19/86	(333-2860) Ak River Safari, Anch.

Follow-up interviews by C. Michael Brown of the Navigability Section with the following people were also used for this report:

<u>Name</u>	<u>Date</u>	<u>Phone Number and Background</u>
Keith Schultz	9/9/87	(543-2433) ADF&G, Bethel
Joseph Martin, Sr.	9/9/87	(967-8511) Kuitsaruk Inc.
Ron Hyde, Sr.	9/9/87	(333-2860) AK River Safari, Anch.

For a full account of the interviews, see David C. Rukke to File F-14862-EE, November 21, 1986, and C. Michael Brown to File F-14862 (75.4), December 10, 1987.

South Fork Goodnews River

This river is shown on the USGS Goodnews A-7 (1954) quadrangle as a double-lined stream through the report area. It drains a marshy lowland and has little gradient. BLM's aerial photograph taken in August 1983 (CIR 128-3271-83, frame 5516) shows a clear, wide channel downstream from Tivyagak Creek, which lies just upstream in T. 12 S., R. 71 W., SM. Tivyagak Creek appears to have as much water as the South Fork. This river is tidal (Photogrammetry determination) from its mouth to the northeast corner of Sec. 21, T. 12 S., R. 72 W., SM, which is all within IC 885. Upstream from this corner this river flows through ANCSA-selected lands in Secs. 11, 12, 14 and 15, T. 12 S., R. 72 W., SM.

Local residents and guides agreed that the South Fork has the least amount of water and is less traveled of the three forks. Hyde, Jr., Schultz, and Walter have taken small boats to Table Mountain or Tivyagak Creek. They described the river as slow-moving, narrower than the other forks, and carrying less water. Ron Hyde, Jr., regularly takes his eighteen-foot Lund upstream to Tivyagak Creek. Schultz has taken an eighteen-foot boat to Lookout Mountain

and Walter said he took a fourteen-foot boat up about five miles. According to Schultz, the river is fifty to seventy feet wide and three to four feet deep. Hyde, Jr., said it is about three feet deep. On the corners it may be only ten to fourteen inches deep.

I determine South Fork Goodnews River navigable to and through T. 12 S., R. 72 W., SM, beyond which is federal (BLM) land in the report area. Hyde, Jr., Schultz, and Walter have taken boats to Tivyagak Creek and vicinity.

Indian River

From the confluence of its North and South forks, the river meanders westward four miles through marshy lowlands to Carter Bay, which is mostly tidal mud flats. It is shown on the USGS Goodnews B-8 (1954) quadrangle to be double-lined with a gradient of twenty-five feet per mile until it branches into the North and South forks, which are single-lined. Several short segments are single-lined in Secs. 13, 14, 15 and 24, T. 10 S., R. 75 W., SM, but this is not obvious in the aerial photographs taken in August 1983 (CIR 127-3271-83, frames 5572 and 5574). Indian River has a fifteen to twenty-five-foot wide channel which continues unobstructed to the confluence of the North and South forks in Sec. 24, T. 10 S., R. 75 W., SM. Above this confluence, both forks become very narrow and sinuous; each fork splits less than one-half mile upstream, further reducing the waterflow.

This river was excluded from IC 885 in Secs. 16, 20 and 21, T. 10 S., R. 75 W., SM. The river remains under ANCSA-selection in the report area in Secs. 15, 23 (extreme northeast corner) and 24, T. 10 S., R. 75 W., SM.

Local residents take small boats up this river a mile or more on the incoming tide. Walter, who has frequently stayed at a cabin at the river's mouth, thought that the river was too shallow for his fourteen-foot boat (prop). Martin, Sr., termed it just a creek, not suitable for boats. However, during an overflight of the river, Fisher observed boats about a mile up the river. He thought the boaters had reached this distance only by taking advantage of a high tide. Eechuck, who once took a twenty-foot boat up a quarter mile and thought he could have gone farther, said that local residents take boats to the river during the fall hunting season.

One person thought that the river is navigable for jet boats for a longer distance. Bright said that one needed a high tide to reach the river. He has taken an eighteen-foot boat up the river at high water and believed that a small boat with a jet unit could be taken upriver at least ten miles.

I determine Indian River non-navigable. Boaters only use the lowest mile of the river and then only on a high tide. The river is too shallow for canoes or rafts.

Slate Creek

This creek empties into the Goodnews River from the mountains to the north. The creek flows through ANCSA-selected land in T. 10 S., R. 71 W., SM. It is shown on the USGS Goodnews B-6 (1954) and B-7 (1954) quadrangles as a

single-lined stream with a gradient averaging thirty-five feet per mile. In an August 1983 aerial photograph (CIR-127-3271-83, frame 5578), the channel of the creek is clearly visible. Slate Creek narrows only slightly through the report area.

In the late 1910s, miners transported supplies to Wattamuse Creek on a small scow. How long and to what extent they relied upon this method of transportation is unknown. Like others in the region, they probably relied upon winter trails and roads in transporting heavy equipment--for example, the dredge that was built on Wattamuse Creek in 1938. An airfield was also built at the mouth of Wattamuse Creek.

Both Dahl and Whittom confirmed the use of boats on Slate Creek. Dahl said Clyde Huffman, a miner on Wattamuse Creek, used a small boat (15 to 18 feet) with a jet unit as far as Wattamuse Creek. Dahl's son also rafted down Slate Creek from the airstrip. According to Whittom, who mines on Fox Creek, a person should experience no difficulties in boating Slate Creek as far as Olympic Creek. Below Olympic Creek, Slate Creek is thirty to forty feet wide and three to four feet deep at low water stages. Above, the creek has more shallow places and fewer deep pools.

I determine Slate Creek navigable to the mouth of Olympic Creek. Miners used small boats to travel to Wattamuse Creek. Slate Creek's physical character below Olympic Creek is such that small boats can be taken to that tributary.

Puyulik Creek

This creek heads northeast of Knight Mountain in T. 13 S., R. 73 W., SM and flows ten miles to Goodnews River. This creek is shown on the USGS Goodnews A-7 (1954) quadrangle as double-lined from its mouth upstream into Sec. 1, T. 13 S., R. 74 W., SM. Its lowest 6.7 miles have an average gradient of thirty-seven feet per mile. In BLM's aerial photograph dated August 1983 (CIR 129-3271-83, frame 5561) the main channel appears small. It is tidally influenced in its lowest reaches, where it is within IC'd land. This creek enters selected lands in Sec. 7, T. 13 S., R. 73 W., SM.

I determine this creek nonnavigable. Eechuck and Schultz described this stream as being too shallow for boats. It would be impossible to enter this creek since it is only a trickle at low tide, and it has a very steep average gradient of fifty feet per mile within the selected area.

Salmon River

From a small valley between Red Mountain and Susie Mountain, Salmon River flows eight miles south-southwest to Kuskokwim Bay. The lowest mile of the river is located in the Togiak NWR. This river is shown on the Hagemester Island D-6 (1950, limited revisions 1981) quadrangle. Its lowest three miles are double-lined. The river crosses ANCSA-selected lands in T. 14 S., R. 75 W., SM.

In 1933 the Goodnews Bay Mining Company acquired platinum claims in the area and began mining. The company in 1937 introduced a dredge on the Salmon River and by 1960 over half a million ounces of platinum had been produced. The extensive tailings cover about six miles of this river, stopping near the boundary of the Togiak NWR, as clearly shown by Cadastral Survey's orthophotos (Scale 2" = 1 mile) for Group Survey 194.

I determine the Salmon River nonnavigable. Due to extensive dredging, it was not in its natural condition at the time of Statehood in 1959.

Smalls River

About one and one-half miles of this river fall within ANCSA-selected lands in Sec. 7, T. 14 S., R. 74 W., SM., and Sec. 12, T. 14 S., R. 75 W., SM. The remainder is in IC'd lands.

This short river heads on the west face of Crater Hill and flows westerly for approximately ten miles to empty into the southwest corner of Goodnews Bay near the village of Platinum. Smalls River is shown on both USGS Goodnews A-7 (1954), A-8 (1954), and Hagemeister Island D-5 (1954) and D-6 (1950, limited revisions 1981) quadrangles as double-lined through Sec. 2, T. 14 S., R. 75 W., SM. Its lowest two miles are on the tidal delta and exhibit a gradient of less than twenty-five feet per mile. Beyond this, the gradient increases to over thirty-five feet per mile.

Local residents do not boat this river. In the summer of 1986 Lynette Nakazawa, a BLM-photointerpreter, examined the river. She believed it was too shallow for boats. Residents had their boats parked in the tidal area of its mouth. Schultz and Eechuck said that the Smalls River is too shallow for even a kayak. Schultz had observed its summer depth to be less than a foot deep. Platinum residents boat only a portion of the lowest mile, reaching their homes and storing their boats for the winter. This lowest portion is also tidal.

I determine Smalls River nonnavigable. Local residents use boats on the lowest mile and then only with the aid of the tide.

Carter Creek

The BLM excluded this creek from IC 886 as navigable and tidal to the point on the USGS Goodnews B-8 quadrangle where the double-lined stream becomes single-lined in Sec. 35, T. 10 S., R. 75 W., SM. The single-lined portion of the stream was IC'd.

Barnum Creek

The BLM excluded this creek from IC 886 as navigable through Secs. 2 and 3, T. 11 S., R. 72 W., SM, T. 10 S., R. 72 W., SM, and to and through Sec. 13, T. 10 S., R. 73 W., SM. (See Goodnews B-7 quadrangle in easement file.) Since no portion of this stream falls within ANCSA-selected lands, a navigability determination is not required here.

Sphinx Creek

The BLM excluded from IC 886 the double-lined portion of this creek on the USGS Goodnews A-7 quadrangle in T. 12 S., R. 73 W., SM., as navigable and tidal. It does not cross ANCSA-selected lands. A navigability determination is not required.

Tunulik River

This river, marked navigable and tidal on the USGS Goodnews A-7 quadrangle referenced in IC 886 was excluded from IC 886 as far as the northeast corner of Sec. 4, T. 12 S., R. 73 W., SM; that is, the double-lined portion on the USGS quadrangle. The remainder of the river (single-lined) in the township was IC'd.

Kinegnak and Unaluk Rivers

These rivers are within the Togiak NWR. Under the Submerged Lands Act, we are not required to make a navigability determination for these rivers because the U.S. retained title to the beds when Alaska became a State. The Kinegnak River traverses lands which have also been ANCSA-selected in Ts. 14 and 15 S., R. 74 W., SM; however, a navigability determination is not required because this river was in withdrawn status at the time of Statehood.

Other Water Bodies

The remaining streams less than three chains wide and lakes fifty acres in size are not suitable for navigation. The streams and creeks are too shallow, narrow, and/or too steep. The lakes are small and drained by small shallow creeks or are landlocked.

~~BY Robert W. Anderson~~

Enclosure:
Table 1

cc:

Kuitsaruk Inc.
Goodnews Bay, Alaska 99589

Calista Corporation
516 Denali Street
Anchorage, Alaska 99501

Dave Fisher
Togiak National Wildlife Refuge
P.O. Box 10201
Dillingham, Alaska 99576

Ron Whitton
P.O. Box 411
Bethel, Alaska 99559

State of Alaska
Department of Natural Resources
Division of Land and Water Management
State Interest Determinations Unit
3601 C Street, P.O. Box 107005
Anchorage, Alaska 99510-7005

State of Alaska
Department of Natural Resources
Division of Land and Water Management
Land Title Section
3601 C Street, Suite 960
Anchorage, Alaska 99503

Arvig, Incorporated
Platinum, Alaska 99651

Branch of Planning and Development (920B)

Branch of Field Surveys (921)

Branch of Cartography (922)

Branch of Photogrammetry (924)

961:DKoenig:blj:05/27/88:1836u

Table 1

Navigable Rivers and Streams Less Than 198 Feet Wide and
Lakes Less Than 50 Acres in Size in Group Survey 194
to be Excluded on Survey Plats, by Township

Seward Meridian

Tps. 9-12 S., R. 70 W.
None.

T. 9 S., R. 71 W.
None.

T. 10 S., R. 71 W.
Slate Creek to Olympic Creek in Secs. 10, 16 and 21 (ANCSA-selected).

Tps. 11-16 S., R. 71 W.
None.

T. 9 S., R. 72 W.
None.

Tps. 10 and 11 S., R. 72 W.
Barnum Creek.

T. 12 S., R. 72 W.
South Fork Goodnews River.

Tps. 13-16 S., R. 72 W.
None.

T. 9 S., R. 73 W.
None.

T. 10 S., R. 73 W.
Barnum Creek to and through Section 13.

T. 11 S., R. 73 W.
None.

T. 12 S., R. 73 W.
Tunulik River and Sphinx Creek (double-lined portions on USGS quadrangle).

Tps. 13-18 S., R. 73 W.
None.

Tps. 9-18 S., R. 74 W.

None.

T. 9 S., R. 75 W.

None.

T. 10 S., R. 75 W.

Indian River to and through Sec. 16; Carter Creek (double-lined portion on USGS quadrangle).

Tps. 11-19 S., R. 74 W.

None.

Tps. 10-13 S., 17-19 S., R. 76 W.

None.

Tps. 17 and 18 S., R. 77 W.

None.

Tps. 17 and 18 S., R. 78 W.

None.

Goodnews River System
Interim Summary Report
Attachment 22

28 OCT 1993

F-14862-EE (75.4)
F-14862-A (2651)
F-14862-A2 (2651)
(041)

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

State of Alaska/DNR
State Interest Determination Unit
Jim Culbertson
P.O. Box 107005
Anchorage, Alaska 99510-7005

*D. Benson
10-28-93
R. Blume
10-28-93*

Dear Mr. Culbertson:

Enclosed is a Notice of Proposed Easements/Request for Nominations (NPE/RN) for easements to be reserved in the title document conveying land to Kuitsarak, Inc., for the Native village of Goodnews Bay.

The lands described in the NPE/RN are shown on the enclosed maps. Please recommend easements you believe should be reserved in the conveyance document by drawing them on the enclosed maps and completing the enclosed justification form.

Any correspondence regarding recommendations and or comments concerning easement recommendations on these lands should be **identified by serial number**, F-14862-EE, and mailed to the District Manager, Anchorage District Office, 6881 Abbott Loop Road, Anchorage, Alaska 99507, no later than

DEC 13 1993 JAN 26 1994

If you have any questions or need further information, please contact Dennis Benson at (800)478-1263, or locally at 267-1212.

Sincerely,

/s/ SANDRA DUNN

Sandra Dunn
Assistant District Manager, Lands

4 - Enclosures

- 1 - Notice of Proposed Easements/Request for Nominations (NPE/RN)
- 2 - Easement and Navigability Legend
- 3 - Justification Statement Form
- 4 - Easement Maps: Goodnews A-7, A-8, B-6, B-7, B-8,

Identical Letter (w/enclosures):

Calista Corporation (CM-RRR)
601 W. Fifth Avenue, Suite 200
Anchorage, Alaska 99510

Kuitsarak, Inc. (CM-RRR)
Goodnews Bay, Alaska 99589

cc: (w/attachments)

Bureau of Indian Affairs
Bethel Agency Office
P.O. Box 347
Bethel, Alaska 99559

U.S. Bureau of Mines
3301 C Street, Suite 525
Anchorage, Alaska 99503-3935

Mr. Tom Busker, Manager
Real Estate and Utilities Branch
Federal Aviation Administration
U.S. Department of Transportation
222 W. 7th Avenue
Anchorage, Alaska 99513

U.S. Fish and Wildlife Service
Division of Realty
Yukon Delta NWR
1011 East Tudor Road
Anchorage, Alaska 99503

Mr. Daniel Beardsley
Chief Right-of-Way Agent
State of Alaska, DOT/PF
P.O. Box 196900
Anchorage, Alaska 99801-7898

Mr. Lance Trasky
Regional Supervisor
Robin Willis
Habitat Division, Region 2
Alaska Department of Fish and Game
333 Raspberry Road
Anchorage, Alaska 99518-1599

Executive Director
Alaska Miners Association
501 W. Northern Lights Blvd., Suite 203
Anchorage, Alaska 99503

042, ADM Resources

F-14862-EE
(75.4)
F-14862-A
(2651)
F-14862-A2
(2651)
(041)

Notice of Proposed Easements and
Request for Easement Nominations for
Lands Selected by and to be Conveyed to
Kuitsarak, Inc.

Pursuant to Departmental Regulation 43 CFR 2650.4-7, notice is hereby provided of public easements identified on lands selected by Kuitsarak, Inc.

The Bureau of Land Management, Anchorage District Office is also requesting easement nominations pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act (ANCSA) for the lands described below.

Subject to valid existing rights, the following described lands, selected under Sec. 12(a) and 12(b) of ANCSA, will be conveyed in the near future to Kuitsarak, Inc. The **unsurveyed** lands described below are only a portion of the total selected lands which are shown on the easement maps.

Seward Meridian

T. 10 S., R. 71 W.
Secs. 19 to 24; inclusive,
Secs. 26 to 33; inclusive.

T. 10 S., R. 72 W.
Sec. 25.

T. 11 S., R. 72 W.
Sec. 11.

T. 10 S., R. 73 W.
Secs. 19 and 30.

T. 10 S., R. 74 W.
Sec. 13,
Secs. 19 to 27, inclusive;
Secs. 34 and 35.

T. 11 S., R. 74 W.
Sec. 3.

T. 10 S., R. 75 W.
Secs. 3, 10, 15, 22, 23 and 24.

MAJOR WATERWAYS:

The Goodnews River, the Middle Fork of the Goodnews River, and the South Fork of the Goodnews River have been determined to be major waterways. These water bodies serve as travel routes to public land.

ALLOWABLE USES:

All easements are subject to applicable Federal, State and Municipal corporation regulations. The following is a listing of uses allowed for each type of easement identified. Uses which are not specifically listed are prohibited.

25 FOOT TRAIL - The uses allowed on a twenty-five (25) foot wide trail easement are: travel by foot, dogsleds, animals, snowmobiles, two- and three-wheel vehicles, and small all-terrain vehicles (ATV's) (less than 3,000 lbs. Gross Vehicle Weight (GVW)).

1 ACRE SITE - The uses allowed for a site easement are: vehicle parking (e.g., aircraft, boats, all-terrain vehicles (ATV's), snowmobiles, cars, trucks), temporary camping, and loading or unloading. Temporary camping, loading, or unloading shall be limited to 24 hours.

EASEMENTS TO BE RESERVED:

- a. (EIN 3 C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from the shore of Goodnews Bay in Sec. 20, T. 12 S., R. 74 W., Seward Meridian, northerly to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

Disucssion:

Reservation of this trail easement is necessary to assure continued access to public lands separated by the village selection.

- b. (EIN 4 C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from the village of Goodnews Bay in Sec. 21, T. 12 S., R. 73 W., Seward Meridian, northeasterly, generally paralleling the Goodnews River, to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to winter.

Discussion:

Reservation of this easement is necessary to assure public access between the waters of Goodnews Bay and public lands.

- c. (EIN 6 C4, D9) A one (1) acre site easement upland of the ordinary high water mark in Sec. 22, T. 10 S., R. 71 W., Seward Meridian, on the right bank of the Goodnews River. The uses allowed are those listed above for a one (1) acre site.

Discussion:

Reservation of this site easement is necessary to provide continued public use of this major waterway and to facilitate travel to public lands and waters beyond. It will also allow for overnight camping, boat moorage, and temporary storage of supplies and equipment. This site easement has been relocated from Sec. 21, T. 10 S., R. 71 W., Seward Meridian to Sec. 22, T. 10 S., R. 71 W., Seward Meridian, to a more suitable location on the recommendation of the State of Alaska, Department of Natural Resources.

- d. (EIN 7 C5) An easement twenty-five (25) feet in width for an existing access trail from EIN 4 C3, C4, D1, D9 in Sec. 21, T. 10 S., R. 71 W., Seward Meridian, easterly, generally paralleling the Goodnews River, to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to winter.

Discussion:

This trail is a branch of EIN 4 C3, C4, D1, D9 and is required to access public land to the east, generally paralleling the Goodnews River.

Note:

There appears to be an incorrect notation on the easement map for EIN 7 C5. A double spaced line is currently showing in Secs. 22, 23 and 24, T. 10 S., R. 71 W., Seward Meridian. One line is a single line indicating the location of the twenty-five (25) foot easement, EIN 7 C5, and the other line has the letter "N" notated on the line. The letter "N" indicates that the Goodnews River is navigable and the notation should be removed from the easement quad which will be done before the final easement memo is issued.

EASEMENTS CONSIDERED BUT NOT RECOMMENDED:

- d. (EIN 6a C4) An easement twenty-five (25) feet in width for a proposed access trail from EIN 6 C4, D9 in Sec. 22, T. 10 S., R. 71 W., Seward Meridian, northerly to EIN 4 C3, C4, D1, D9 in Sec. 16, T. 10 S., R. 71 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. (EIN 6 C4, D9 has been moved from Sec. 21, T. 10 S., R. 71 W., Seward Meridian to Sec. 22, T. 10 S., R. 71 W., Seward Meridian to a more suitable location on the recommendation of the State of Alaska, Department of Natural Resources.)

Discussion: There was a proposal to widen this easement to fifty (50) feet but because this proposed trail is duplicative of EIN 4 C3, C4, D1, D9, it is not being recommended.

No other easements have been considered.

EASEMENT MAPS:

The easement maps enclosed reflect the current status of easements.

This notice does not cover granted rights-of-way of record.

Written comments and recommendations must be filed with the District Manager, Bureau of Land Management, Anchorage District Office, 6881 Abbott Loop Road, Anchorage, Alaska 99507, no later than **DEC 13 1993** **JAN 26 1994**

Your comments and recommendations should identify serial number F-14862-EE. If you have any questions, please contact Dennis Benson at 800 478-1263 or locally at 267-1212.

/s/ SANDRA DUNN

Sandra Dunn
Assistant District Manager, Lands

Goodnews River System
Interim Summary Report
Attachment 23

MAR 3 1994

F-14862-EE (75.4)
F-14862-A (2651)
F-14862-A2 (2651)
(041)

D. Benson
3-3-94

MEMORANDUM

TO: Chief, Branch of Calista Adjudication (963)

FROM: Assistant District Manager, Lands (041)

SUBJECT: Final Easement Recommendations for Lands to be Conveyed to Kuitsarak, Inc. (Goodnews Bay)

On November 16, 1992, you requested that we identify easements on lands selected by Kuitsarak, Inc. The following are the final easement and major waterway recommendations for lands to be conveyed to Kuitsarak, Inc., on behalf of the Native village of Goodnews Bay. Of these recommendations, my decision is as follows for the lands described below:

SEWARD MERIDIAN, ALASKA

T. 10 S., R. 71 W.

Secs. 19 to 24; inclusive,
Secs. 26 to 33; inclusive.

T. 10 S., R. 72 W.

Sec. 25.

T. 11 S., R. 72 W.

Sec. 11.

T. 10 S., R. 73 W.

Secs. 19 and 30.

T. 10 S., R. 74 W.

Sec. 13,
Secs. 19 to 27, inclusive;
Secs. 34 and 35.

T. 11 S., R. 74 W.

Sec. 3.

T. 10 S., R. 75 W.

Secs. 3, 10, 15, 22, 23 and 24.

MAJOR WATERWAYS:

The Goodnews River, the Middle Fork of the Goodnews River, and the South Fork of the Goodnews River have been determined to be major waterways. These water bodies serve as travel routes to public land.

ALLOWABLE USES:

All easements are subject to applicable Federal, State and Municipal corporation regulations. The following is a listing of uses allowed for each type of easement identified. Uses which are not specifically listed are prohibited.

25 FOOT TRAIL - The uses allowed on a twenty-five (25) foot wide trail easement are: travel by foot, dogsleds, animals, snowmobiles, two- and three-wheel vehicles, and small all-terrain vehicles (ATV's)(less than 3,000 lbs. Gross Vehicle Weight (GVW)).

1 ACRE SITE - The uses allowed for a site easement are: vehicle parking (e.g., aircraft, boats, all-terrain vehicles (ATV's), snowmobiles, cars, trucks), temporary camping, and loading or unloading. Temporary camping, loading, or unloading shall be limited to 24 hours.

EASEMENTS TO BE RESERVED:

- a. (EIN 3 C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from the shore of Goodnews Bay in Sec. 20, T. 12 S., R. 74 W., Seward Meridian, northerly, to public lands in Sec. 18, T. 10 S., R. 73 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

Discussion:

Reservation of this trail easement is necessary to assure continued access to public lands separated by the village selection.

- b. (EIN 4 C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from the village of Goodnews Bay in Sec. 21, T. 12 S., R. 73 W., Seward Meridian, northeasterly, generally paralleling the Goodnews River, to public lands in Sec. 16, T. 10 S., R. 71 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to winter.

Discussion:

Reservation of this easement is necessary to assure public access between the waters of Goodnews Bay and public lands.

- c. EIN 15 C4, D1) A one (1) acre site easement upland of the ordinary high water mark in Sec. 23, T. 10 S., R. 71 W., Seward Meridian, on the left bank of the Goodnews River. The uses allowed are those listed above for a one (1) acre site.

Discussion:

Reservation of this site easement is necessary to facilitate access to federal lands to the south in Ts. 10 and 11 S., R. 71 W., Seward Meridian. Togiak National Wildlife Refuge and Wilderness is located approximately one mile to the east of site EIN 15 C4, D1. Access through the wilderness would be allowed by foot travel only. The U.S. Fish and Wildlife Service would not issue an access right-of-way through designated wilderness to the federal lands to the south. Therefore, site EIN 15 C4, D1 is necessary for a change in mode of transportation as it serves as the trailhead for trail EIN 15a C4, D1, providing access to federal lands to the south. It will also allow for overnight camping, boat moorage, and temporary storage of supplies and equipment.

- d. (EIN 15a C4, D1) An easement twenty-five (25) feet in width for a proposed access trail from site EIN 15 C4, D1 in Sec. 23, T. 10 S., R. 71 W., Seward Meridian, south, to public lands.

Discussion:

Reservation of this proposed trail is necessary to provide access to federal lands to the south in Ts. 10 and 11 S., R. 71 W., Seward Meridian. Togiak National Wildlife Refuge and Wilderness is located approximately one mile to the east of site EIN 15 C4, D1. Access through the wilderness would be allowed by foot travel only. The U.S. Fish and Wildlife Service would not issue an access right-of-way through designated wilderness to the federal lands to the south. Therefore, trail EIN 15a C4, D1 is being recommended.

- e. (EIN 16 C4, D1) An easement twenty-five (25) feet in width for a proposed access trail from trail EIN 3 C3, C4, D1, D9 in Sec. 26, T. 10 S., R. 74 W., Seward Meridian, northwesterly, to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

Discussion:

Reservation of this easement is necessary to assure public access between waters of Goodnews Bay and public land. The terminus of EIN 3 C3, C4, D1,

D9 in Sec. 18, T. 10 S., R. 73 W., Seward Meridian, is topographically isolated from public land by the coastal mountain range. EIN 16 C4, D1 is needed to provide public access to public land between EIN 1 C3, C5, D1, D9, M, along the coast, and EIN 3 C3, C4, D1, D9 approximately twelve (12) miles inland.

EASEMENTS CONSIDERED BUT NOT RECOMMENDED:

- f. (EIN 7 C5) An easement twenty-five (25) feet in width for an existing access trail from EIN 4 C3, C4, D1, D9 in Sec. 21, T. 10 S., R. 71 W., Seward Meridian, easterly, generally paralleling the Goodnews River, to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to winter.

Discussion:

This trail was to be an extension of EIN 4 C3, C4, D1, D9 in Sec. 21, T. 10 S., R. 71 W., Seward Meridian, generally paralleling the Goodnews River, to public land in Sec. 19, T. 10 S., R. 70 W., Seward Meridian. However, it is not being recommended because the Goodnews River provides adequate public access.

- g. (EIN 6 C4, D9) A one (1) acre site easement upland of the ordinary high water mark in Sec. 21, T. 10 S., R. 71 W., Seward Meridian, on the right bank of the Goodnews River. The uses allowed are those listed above for a one (1) acre site.

Discussion:

This site easement is not being recommended because the State of Alaska, Department of Natural Resources, has recommended site EIN 15 C4 D1 in Sec. 23, T. 10 S., R. 71 W., Seward Meridian. Two site easements located only one and one-half miles apart from each other are not required.

- h. (EIN 6a C4, D9) An easement twenty-five (25) feet in width for a proposed access trail from site EIN 6 C4, D9 in Sec. 21, T. 10 S., R. 71 W., Seward Meridian, northerly, to trail EIN 4 C3, C4, D1, D9 in Sec. 16, T. 10 S., R. 71 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

Discussion:

Because the State of Alaska, Department of Natural Resources has recommended site EIN 15 C4, D1 approximately two miles upstream on the Goodnews River, site EIN 6 C4, D9 and trail EIN 6a C4, D9 are not being recommended. Trail EIN 7 C5 is also not being recommended because the

Goodnews River provides adequate transportation. Alternate access is provided by trail EIN 4 C3, C4, D1, D9, northerly, to public land.

Note:

The corrected easement quad maps were not received in time to be attached to this final easement memorandum. The corrected easement maps will be sent under separate cover at a later date. For now, hand notated quad maps are furnished. Also, the letter "N" indicates that the Goodnews River is navigable and the notation will be removed on the corrected easement maps as this notation is no longer used on the easement quad maps.

(Sgd) Russol D. Blome **Acting**

Sandra Dunn

Attachment:

Easement Maps: Goodnews A-7, A-8, B-6, B-7, B-8

Identical Letter (w/attachments):

Calista Corporation
601 W. Fifth Avenue, Suite 200
Anchorage, Alaska 99510

Kuitsarak, Inc.
Goodnews Bay, Alaska 99589

Arviq, Inc.
Platinum, Alaska 99695

U.S. Fish and Wildlife Service
Attn: Realty (Togiak NWR)
1011 East Tudor Road
Anchorage, Alaska 99503

Jim Culbertson
State of Alaska/DNR
State Interest Determination Unit
P.O. Box 107005
Anchorage, Alaska 99510-7005

bcc:

Easement Reading File
041:DBenson:jaa:3/3/94:F-14862.em



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Alaska State Office
701 C Street, Box 13
Anchorage, Alaska 99513

Goodnews Bay-PPR-83-05
F-19735 (2653)
F-19735-5E (75.4)
(NAV) (962)

*reviewed
Feb 24, 83
Boats travel to
Goodnews Lake
and it is and when
a determination is
made for the lake it
should be navigable.*

JAN 24 1983

Goodnews River System
Interim Summary Report
Attachment 24

Memorandum

To: Chief, Division of ANCSA and State Conveyances (960)
From: Assistant to the State Director for Conveyance Management (913)
Subject: Final Navigability Determination for Betty Huffman, Primary Place of Residence, Serial Number F-19735

Following is the final administrative navigability determination for water bodies within lands selected by Betty Huffman as her primary place of residence.

A review has been completed on the lands that are the subject of this report, located as follows:

Seward Meridian, Alaska

T. 8 S., R. 66 W.
Sec. 7, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 8, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 18, NE $\frac{1}{4}$ NE $\frac{1}{4}$.

This parcel is a portion, there-of containing approximately 70 acres.

This parcel is on a gentle sloping plain, covered with a moist tundra type vegetation and borders on the northwest shore of Goodnews Lake. This tract also contains surface water tributaries to Goodnews Lake which are non-boatable.

Goodnews Lake is a continuation of the Goodnews River system which has been determined to be navigable (GDB-VS-83-04).^{1/} The upper limits of navigability for this system has not yet been identified.

^{1/} United States v. Holt State Bank, 270 U.S. 49, 56(1925).

All water bodies within the boundaries of the subject land area to be conveyed were reviewed and, based on existing evidence, are nonnavigable.

Attachment:

Maps (2)

/s/ Robert D. Arnold

cc:

State of Alaska
Navigability Project
Pouch 7-005
Anchorage, Alaska 99510
(with maps)

Mr. James E. Culbertson
Land Exchange/Entitlement Unit
State of Alaska
Department of Natural Resources
Division of Research and Development
Pouch 7-005
Anchorage, Alaska 99510
(with maps)

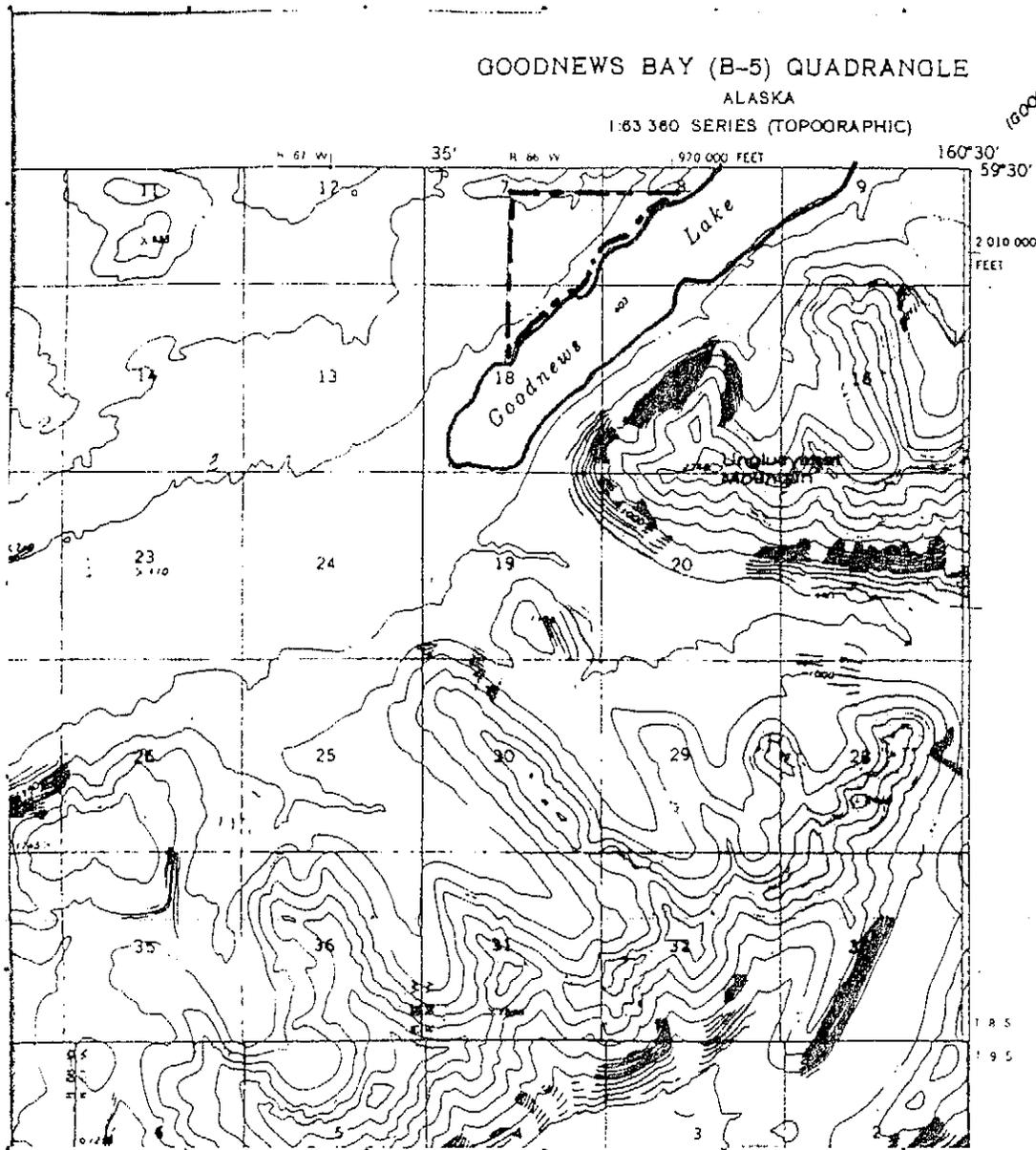
UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Goodnews Bay - PPR-83-05

Serial Number
F-19735

SITE PLOT

Township *8 south*, Range *66 west*, *Seward* Meridian



LAND OWNERSHIP KEY AND ADDITIONAL TOPOGRAPHIC SYMBOLS

Scale: 1" = 63,360

--- Primary Place of Residence

OTHER DATA



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
ALASKA STATE OFFICE
701 C STREET, BOX 13
ANCHORAGE, ALASKA 99513-0099

**Goodnews River System
Interim Summary Report
Attachment 25**

Goodnews-GS-FY'89-#3
Hagemeister Island-GS-FY'89-#1
Kuskokwim Bay-GS-FY'89-#4
(961)

FEB 17 1989

rec'd 2/21/89

Memorandum

To: Deputy State Director for Cadastral Survey (920)
From: Deputy State Director for Conveyance Management (960)
Subject: Navigable Waters in Small Tracts in Group Survey No. 194
(Window 1704)

This memorandum identifies navigable water bodies in certain small tracts to be surveyed in FY 1989. All tracts are located in the Goodnews survey window. The small tracts include 174 Native allotments and three cemeteries, and covers thirty-four townships. All the tracts are listed in Table 1 by township.

Only the following water bodies were reviewed:

1. Water bodies in Native allotments and other small claims located in conveyed areas (ICd and TAd); and
2. Water bodies in or along Native allotments and other small claims located on Federal lands (lands not selected under the Statehood Act or ANCSA other than the provisions applying to historical and cemetery sites).

Only historical and cemetery sites inspected by the BIA were reviewed. Navigable waters in areas selected or conveyed under the Statehood Act, the Native Allotment Act, and other provisions of ANCSA are identified in our memo dated June 6, 1988, for survey window 1704 (Goodnews).

Table 2 lists the small tracts which encompass or abut navigable waters. Streams 198 feet or more in width and lakes 50 acres or more in size are not listed in the table because they are excluded in the survey regardless of navigability. Goodnews River and its Middle Fork fall into this category. In addition, the list does not include navigable tidal streams. We understand that these will be identified and meandered at the time of survey.

The BLM's criteria for navigability determinations are described in a memorandum of March 16, 1976, from the Associate Solicitor, Division of Energy and Resources, to the Director, Bureau of Land Management (BLM), subject "Title to submerged lands for purposes of administering ANCSA"; the Alaska Native Claims Appeals Board's (ANCAB) decision of December 14, 1979, on the navigability of the Nation and Kandik rivers (RLS 76-2); the Regional Solicitor's February 25, 1980 interpretation of the ANCAB decision; and dicta in the U.S. District Court's decision (Case No. A80-359 Civ.) of April 16, 1987, on the navigability of the Gulkana River. In general, the BLM considers nontidal water bodies navigable if they were navigable by crafts larger than a one-person kayak at the time of Statehood.

The principal sources of information about the land status, history, and character of water bodies in the report area come from USGS maps, the BLM's Master Title Plats (MTPs), the Alaska Automated Lands and Mineral Record System (AALMRS); Dale Stirling's "A History of the Bristol Bay Region of Alaska" (unpublished manuscript, State of Alaska, 1985); C. Michael Brown's "Alaska Kuskokwim River Region: A History" (unpublished BLM manuscript, 1985); the BLM's navigability report for Group Survey No. 194 (memo, Robert W. Arndorfer to DSD for Cadastral Survey, June 6, 1988); BLM's infrared aerial photographs (CIR 60), and, most importantly, the individual Native allotment case files. The case files contain on-the-ground and low-level flight color photographs which, in most cases, easily confirm the physical characteristics of the investigated water body.

Osviak River (AA-6488, Betty Pavian)

This allotment is in Sec. 19, T. 15 S., R. 71 W., SM. In the Togiak National Wildlife Refuge, the claim borders the Osviak River seven miles from its mouth on Hagemeister Strait. See USGS Hagemeister Island D-4 quadrangle map, 1954. The first four and one-half miles of this river is actually a lagoon, varying from two-tenths to three-fourths of a mile in width. Six other Native allotments in this group survey border this lagoon/river where the water body is clearly tidal or meanderable. The river continues through the allotment approximately three chains in width, more or less.

The first eleven miles of the stream from Osviak has a gradient of about two feet per mile. The on-the-ground and low-level flight photos in the Native allotment casefile, and the infrared photos (CIR 60, roll 2907, frames 5776 and 5777, July 1980) all clearly show this wide, unobstructed river. The photos show a number of vegetated islands and unvegetated gravel bars in the stream course. Gravel bars are also visible on the bends. The river bottom is not visible in the photos. There is no apparent evidence of rapids, riffles, or boulders in the river. The two single-lined streams flowing east to west through this allotment are mostly overgrown with vegetation and are non-navigable.

There is little documentation of this river's navigability. In the 1880's, two separate exploring parties may have descended the river in canoes and kayaks in their journey from the Kuskokwim region to the Bristol Bay region. In 1880, State of Alaska employees contacted three local residents (Dillingham and Lake Aleknagik) who believed that the river was navigable. None had actually boated it. (Stirling, p. 171.)

Betty Pavian and her husband may travel to the allotment by boat. In her application, she indicated that she picked berries there in September. In 1973, a BLM employee found a metal shed on a hill overlooking the river and two snowmobiles nearby. The employee recommended that a shoreline easement for public boat landings be reserved. (Phillip D. Moreland, Land Report, July 31, 1973, AA-6488.)

I determine the Osviak River on the eastern boundary of this allotment navigable. There is some evidence that small boats are used on this river. The wide and unobstructed character of this stream is clearly supported by aerial and ground photographs.

Puyulik Creek (FF-013656, Andy J. Chingliak)

This allotment is in Sec. 6, T. 13 S., R. 73 W., SM, and Sec. 1, T. 13 S., R. 74 W., SM. It is located on the USGS Goodnews Bay (A-7) quadrangle map (1954, Minor Revisions 1984). It is completely within IC 536 and is crossed from south to north by Puyulik Creek. This creek was listed as tidal influenced approximately to Sec. 1, T. 13 S., R. 74 W., SM, and was excluded from IC 536. (See memorandum of May 13, 1983, from Robert W. Faithful IV to Chief, Division of ANCSA and State Conveyances.) This distance closely conforms to the double-lined portion which enters the allotment for one-sixth mile on the USGS map. The remainder of the creek is single-lined. The first two miles of the creek has a gradient of about twenty-nine feet per mile. In the NASA aerial photograph (CIR 60, roll 3271, frame 5561, August 1983), the creek is clearly visible. It is about fifty feet wide. Numerous mud or sand bars are on the creek's bends.

In past years, the BLM received reports that the creek was not navigable. Keith Schultz, biologist for the Alaska Department of Fish and Game, said that during low tide Puyulik Creek was "just a trickle" and would be impossible to enter. He was not sure how far up one could go on a high tide. This same report quoted Willie Eechuck, a Native of Platinum, as saying that "Puyulik Creek is too shallow and full of trees for BLM's smallest commercial boat [18-foot wooden boat] or any boat." (David C. Rukke to File F-14862-EE, November 21, 1986.) During a meeting on October 5, 1982, State of Alaska employees said they considered Puyulik Creek to be navigable. Representatives of the regional and village corporations did not comment on the creek. (Brown, 1985, page 601).

Based on the aerial infrared photograph, the section of the creek double-lined on the USGS maps appears to have ample water and is sufficiently wide and generally unobstructed for navigation by small boats. This section extends to the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1, T. 12 S., R. 74 W., SM. The photos in the Native allotment case file indicate that Puyulik Creek is sufficiently wide and unobstructed, certainly during periods of high water, to allow navigation by small boats.

I determine that portion of Puyulik Creek double-lined on the USGS maps navigable. Thus the navigability of this creek extends approximately to the twenty-five-foot contour line in this allotment. Both high level and low level photographs confirm the physical susceptibility of this stream during high water to navigation by small boats, canoes or rafts.

Other Small Tracts and Water Bodies

I determine all other water bodies in Native allotments and cemetery sites in the report area non-navigable. They are too steep, narrow, or shallow for navigation. The same applies to the case of small tracts on Federal lands fronting on water bodies.

Wayne A. Boden

cc:

State Interest Determinations Unit
Division of Land and Water Management
Alaska Department of Natural Resources
P.O. Box 107005
Anchorage, Alaska 99510-7005

State of Alaska
Department of Natural Resources
Land Title Section
3601 C Street, Suite 960
Anchorage, Alaska 99503

Table 1

Small Tracts in
Group Survey 194 (Window 1704) Scheduled
for Survey in FY 1989, by Township

Seward Meridian

T. 9 S., R. 70 W.
AA-037801-A

T. 10 S., R. 71 W.
AA-054569-B
AA-540569-C
FF-0015605-A
FF-018369-A
FF-018579-B

T. 11 S., R. 71 W.
FF-013659
FF-018206-B

T. 14 S., R. 71 W.
AA-6487

T. 15 S., R. 71 W.
AA-6488

T. 16 S., R. 71 W.
AA-037794-C
AA-006299

T. 12 S., R. 73 W.
FF-013766-A
FF-013766-B
FF-013775-C
FF-013780-A
FF-015949-A
FF-015949-C
FF-016203-A
FF-018204
FF-018209-A

T. 13 S., R. 73 W.
FF-013655
FF-013656
FF-018211-B

T. 17 S., R. 73 W.
AA-037808-B
AA-051854-A
AA-051854-B
AA-053571

T. 9 S., R. 74 W.
FF-18208-A

T. 10 S., R. 72 W.
AA-037794-D
FF-015605-B
FF-018207-C
FF-018441-D

T. 11 S., R. 72 W.
AA-037796
AA-037800-A
AA-037802-D
AA-037804
AA-037808-A
AA-053859-C
FF-013759-A
FF-013767-B
FF-013776-B
FF-013777-A
FF-013777-B
FF-015601
FF-015787
FF-015843
FF-015844-B
FF-015949-B
FF-018207-A
FF-018211-A

T. 12 S., R. 72 W.
AA-037795-B
AA-052703-D
FF-013660
FF-013758-A
FF-013758-B
FF-013758-C
FF-013775-B
FF-013776-A
FF-013777-C
FF-013799-A
FF-015624-B
FF-015766
FF-015844-A
FF-018206-A
FF-018210-B
FF-018369-B

T. 13 S., R. 72 W.
FF-013658-A

T. 16 S., R. 72 W.

AA-006312
AA-006361
AA-006364
AA-006485
AA-007265
AA-007267

T. 11 S., R. 73 W.

AA-037795-A
FF-018207-B

T. 9 S., R. 74 W.

AA-9800
FF-018208-A

T. 12 S., R. 74 W.

AA-9943
AA-013779-B
FF-013779-B
FF-016121
FF-016204-A
FF-016654
FF-018205-A

T. 13 S., R. 74 W.

AA-037801-B
AA-037801-C
FF-013657
FF-013775-A
FF-016175

T. 14 S., R. 74 W.

AA-037806-B
FF-013755

T. 15 S., R. 74 W.

AA-037794-B
FF-013780-B
FF-019058

T. 16 S., R. 74 W.

AA-037803-B
AA-037803-C
AA-054007-C
FF-017422-B
FF-017635-C
AA-058187-B

T. 9 S., R. 75 W.

FF-018208-B
FF-018208-C

T. 10 S., R. 75 W.

AA-037800-C
AA-037802-A
AA-053859-A
AA-058187-A
FF-015690
FF-017490-A
FF-018210-A
FF-018441-A
FF-018441-B
FF-018579-C

T. 11 S., R. 75 W.

AA-037803-A
FF-017421-D

T. 12 S., R. 75 W.

AA-037795-C
AA-037802-B
AA-055932
FF-013334
FF-013658-B
FF-013767-A
FF-013776-C
FF-016176
FF-016178
FF-016203-B
FF-016204-B
FF-017401
FF-017421-B
FF-017422-C
FF-018579-C

T. 13 S., R. 75 W.

A-054529-B
AA-037805-C
AA-037806-A
AA-037807-A
AA-054007-A
FF-013335
FF-013759-B
FF-015624-A
FF-015671
FF-017399
FF-017400
FF-017401

FF-017403-B
FF-017404
FF-017405
FF-017635-D
FF-018205-B

T. 14 S., R. 75 W.
AA-037807-B

T. 15 S., R. 75 W.
FF-017422-A
FF-016968

T. 16 S., R. 75 W.
AA-037794-A
AA-037800-B
AA-037802-C
AA-037805-A
AA-037805-B
AA-052703-B
AA-053997
AA-054006
AA-054007-B
FF-015691
FF-016969
FF-017421-A
FF-017490-B
FF-017635-A
FF-017635-B
FF-018206-D

T. 18 S., R. 75 W.
AA-6360

T. 11 S., R. 76 W.
AA-10018
AA-052703-A
FF-016179
FF-017421-C

T. 13 S., R. 76 W.
AA-037801-D
FF-013773

T. 18 S., R. 76 W.
AA-7802-A

T. 18 S., R. 77 W.
AA-037797-A

Table 2

Navigable Rivers and Streams Less Than 198 Feet Wide and
Lakes Less Than 50 Acres in Size in Group Survey 194
to be Excluded on Survey Plats, by Township

Seward Meridian

T. 15 S., R. 71 W.

AA-6488 - Native Allotment, Betty Pavian.
E $\frac{1}{4}$ Sec. 19 - Osviak River along western border

T. 13 S., R. 74 W.

FF-013656 - Native allotment, Andy J. Chingliak
NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 1 - Puyulik Creek to intersection
with twenty-five foot contour line.

Tps. 9-12 S., R. 70 W.

None.

T. 9 S., R. 71 W.

None.

T. 10 S., R. 71 W.

Slate Creek to Olympic Creek in Secs. 10, 16 and 21 (ANCSA-selected).

Tps. 11-14 S., R. 71 W.

None.

T. 15 S., R. 71 W.

Osviak River along Native allotment AA-6488
(Betty Pavian) in E $\frac{1}{4}$ Sec. 19

T. 16 S., R. 71 W.

None.

T. 9 S., R. 72 W.

None.

Tps. 10 and 11 S., R. 72 W.

Barnum Creek.

T. 12 S., R. 72 W.

South Fork Goodnews River.

Tps. 13-16 S., R. 72 W.

None.

T. 9 S., R. 73 W.

None.

T. 10 S., R. 73 W.

Barnum Creek to and through Section 13.

T. 11 S., R. 73 W.

None.

T. 12 S., R. 73 W.

Tunulik River and Sphinx Creek (double-lined portions on USGS quadrangle).

Tps. 13-18 S., R. 73 W.

None.

Tps. 9-12 S., R. 74 W.

None.

T. 13 S., R. 74 W.

Puyulik Creek in Native Allotment FF-013656 (Andy J. Chingliak) to end of double-line on map.

Tps. 14-18 S., R. 74 W.

None.

T. 9 S., R. 75 W.

None.

T. 10 S., R. 75 W.

Indian River to and through Sec. 16; Carter Creek (double-lined portion on USGS quadrangle).

Tps. 11-19 S., R. 74 W.

None.

Tps. 10-13 S., 17-19 S., R. 76 W.

None.

Tps. 17 and 18 S., R. 77 W.

None.

Tps. 17 and 18 S., R. 78 W.

None.



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
ALASKA STATE OFFICE
222 W. 7th Avenue, #13
ANCHORAGE, ALASKA 99513-7599

Goodnews River System
Interim Summary Report
Attachment 26

Goodnews-GS-FY94
F-14862-A (2651)

March 15, 1994

Memorandum

To: F-14862-EE (75.4)
From: Chief, Navigability Section (924)
Subject: Navigable Waters in Survey Group No. 194 (Window 1704)

This memorandum clarifies our reports of June 6, 1988, and February 17, 1989, identifying navigable waters in Survey Group No. 194 (Goodnews). The reports imply that certain rivers and streams were excluded from interim conveyances by reason of navigability, that is, use or susceptibility of use for commercial navigation. In fact, these water bodies were excluded from the conveyances pending a determination of the mean high tide line. These determinations are made at the time of survey.

Only the following rivers were excluded from the interim conveyances by reason of navigability (use or susceptibility of use for commercial navigation): Goodnews River, Middle Fork Goodnews River to and through T. 11 S., R. 72 W., Seward Meridian (SM), South Fork Goodnews River to and through Sec. 21, T. 12 S., R. 72 W., SM, and Barnum Creek to and through Section 13, T. 10 S., R. 73 W., SM. (Slate Creek, where it crosses ANCSA-selected lands, is not discussed here because the lands are not included in Group Survey No. 194.)

Subsequent to the issuance of the interim conveyances, the following stream was found also navigable within a Native allotment (FF-013656-Andy J. Chingliak): Puyulik Creek through the double-lined portion (NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 1, T. 13 S., R. 74 W.) shown on the USGS Goodnews Bay A-7 quadrangle map (1954, Minor Revisions 1984).

The remaining water body exclusions in the interim conveyances were made pending determinations of the mean high tide line. These include Indian River, Carter Creek, Sphinx Creek, and Tunulik River. Other tidal water bodies will be identified at the time of survey.

Therefore, all references to these tidal water bodies should be deleted from Table 1 of the June 6, 1988, and February 17, 1989 reports. These would include Tunulik River and Sphinx Creek in T. 12 S., R. 73 W., and Indian River and Carter Creek in T. 10 S., R. 75 W., SM. The reference to Osviak River along Betty Pavian's Native allotment should also be struck. Only water bodies suitable for commercial navigation and excluded from the interim conveyances or running through Native allotments should have been identified in the tables.

C. Michael Brown

cc: Mike Birtles (922)

Ann Johnson (963)

SURVEYED TOWNSHIP 12 SOUTH RANGE 73 WEST OF THE SEWARD MERIDIAN, ALASKA

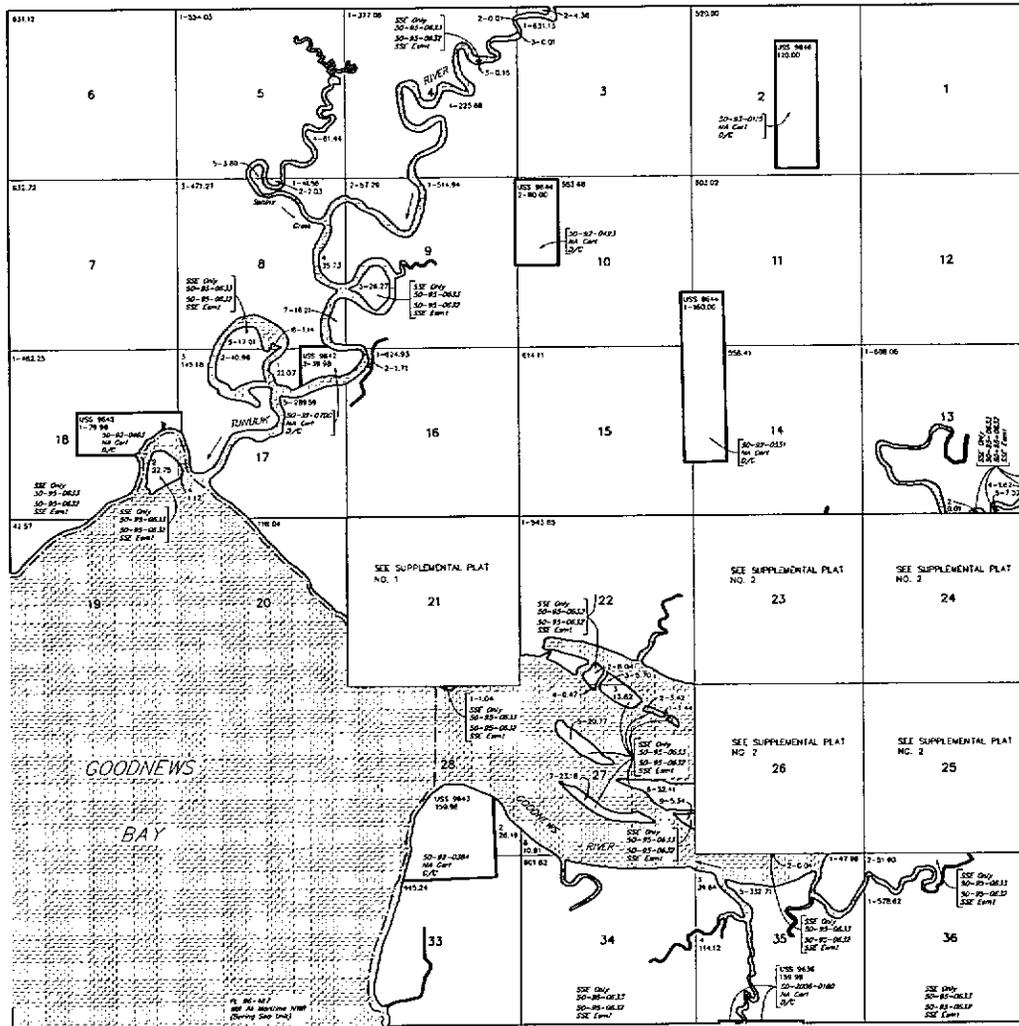
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

FOR OWNERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHIN RANGE FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS

Goodnews River System
Interim Summary Report
Attachment 27

Goodnews
River
Main Fork



Lat 55°05'12.66" N
Long -131°29'00.88" W

SCALE in chains
0 10 20 30
1" = 10 chains

WARNING:
This report is the property of the Bureau of Land Management and should be used only in a limited, official capacity. It is not to be used for any other purpose and does not reflect the opinion of the Bureau. It is not to be used as a basis for any other survey or for any other purpose.

CURRENT TO	Same Map
8-5-2008	T 12 S R 73 W

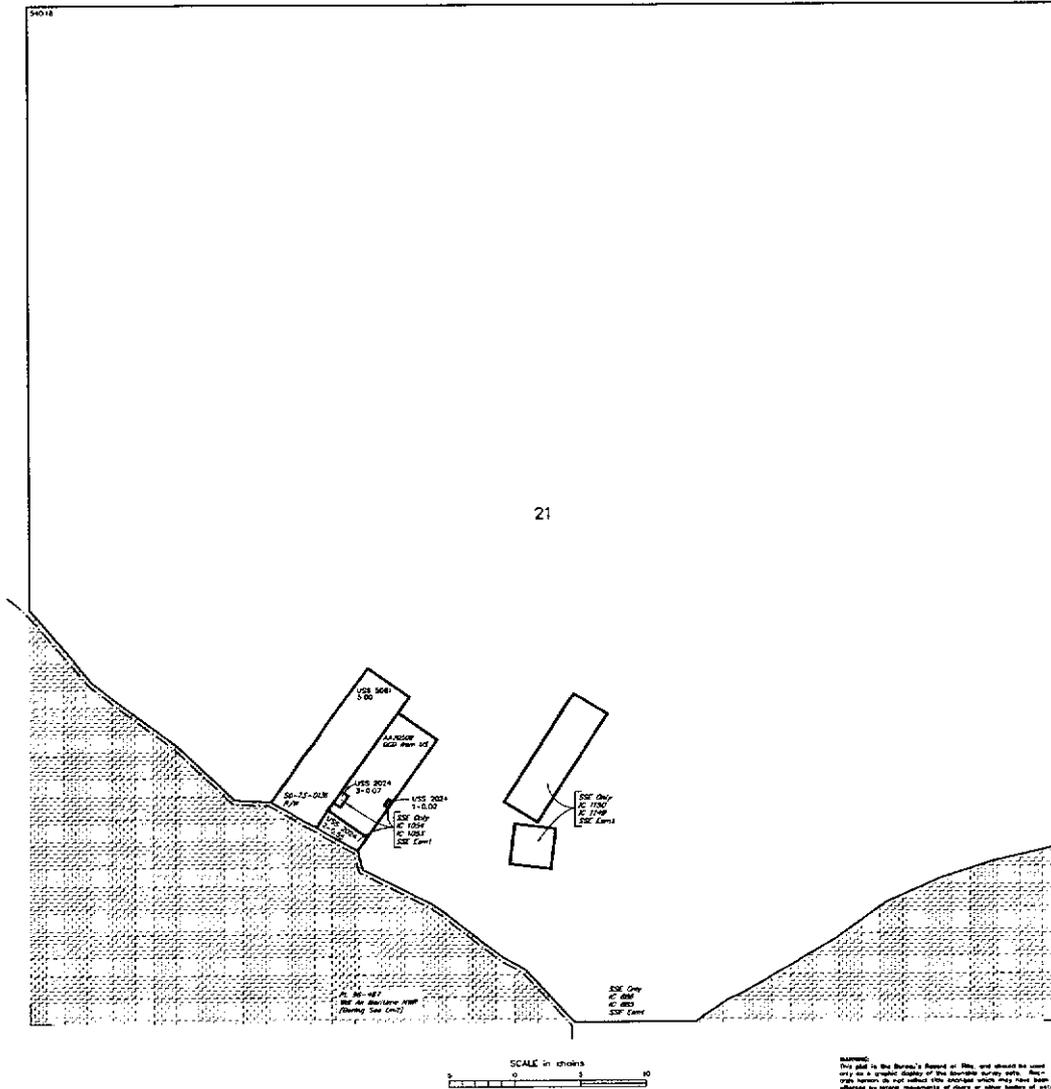
ACAD

SURVEYED TOWNSHIP 12 SOUTH RANGE 73 WEST OF THE SEWARD MERIDIAN, ALASKA

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP
SUPPL SEC 21
NO 1

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS



WARNING:
This plat is the Bureau's Record of Title, and should be used only as a general history of the described lands only. The-
only names do not reflect the situation which they have been
affected by recent movements of title or other factors of title
Refer to the recorder's office for actual survey information.

CURRENT TO	See Mar	NO 1
8-5-2006	T	12 S
	R	73 W

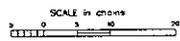
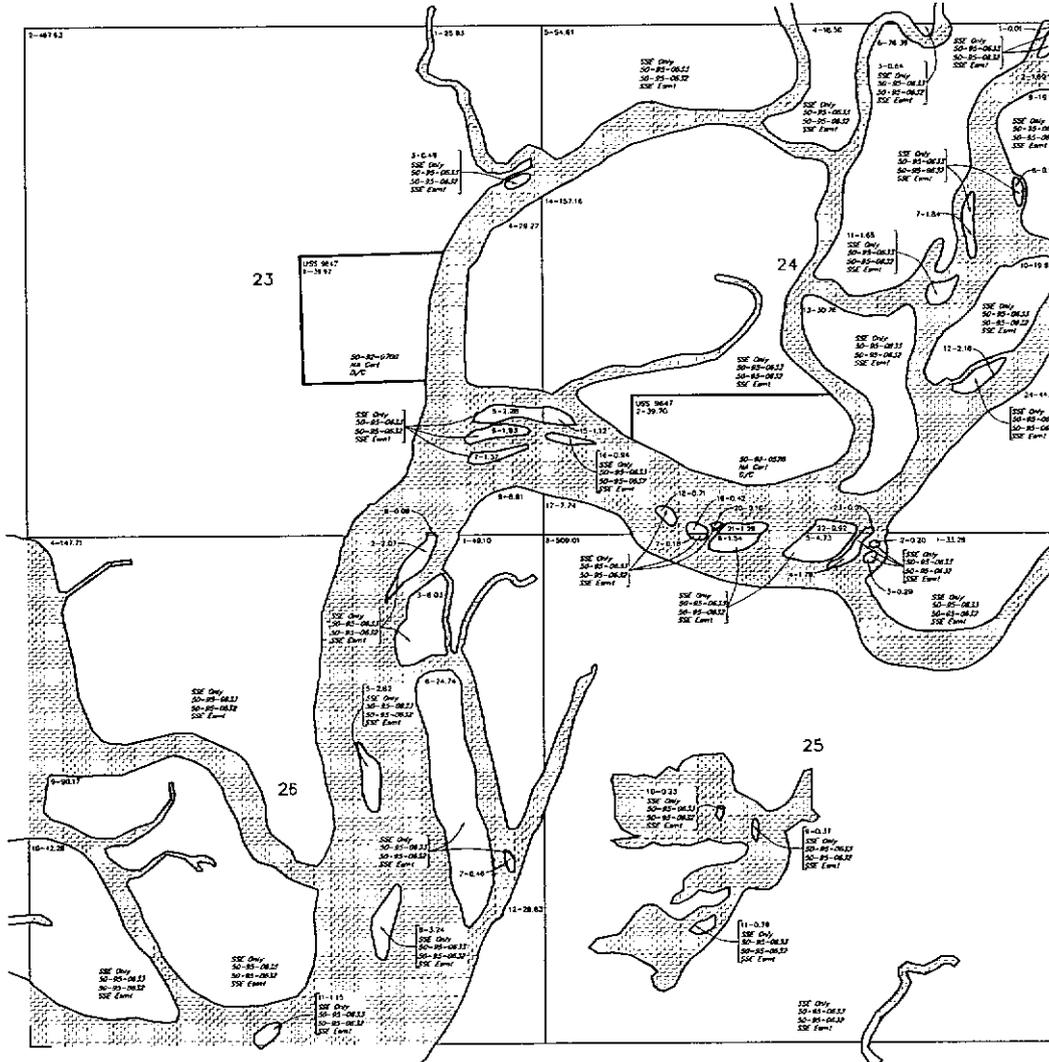
ACAD

SURVEYED TOWNSHIP 12 SOUTH RANGE 73 WEST OF THE SEWARD MERIDIAN, ALASKA

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

**MTP
SUPPL SECS 23-26**
NO 2

FOR GROUPS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHIN FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

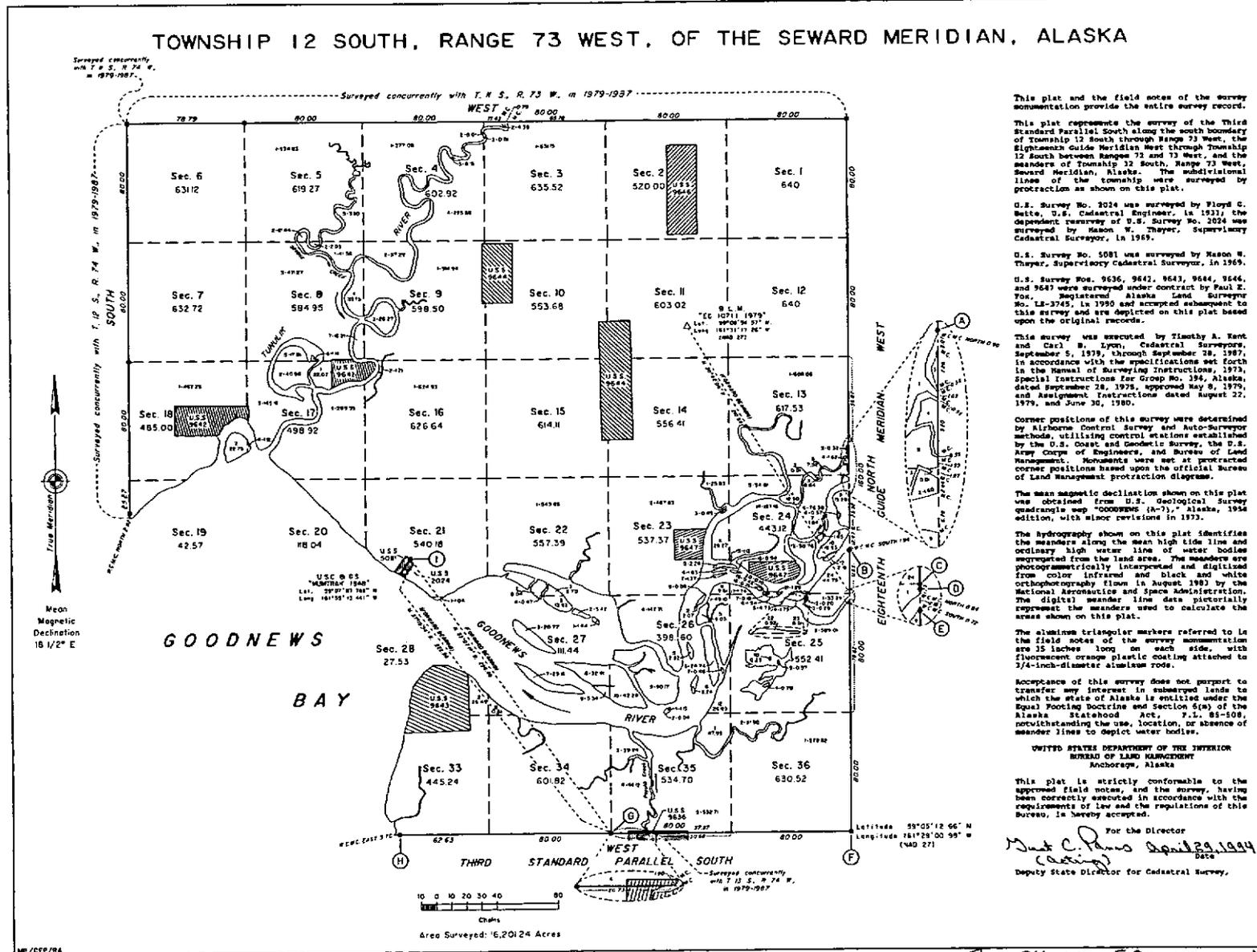


NOTES:
The land in the Bureau's Record of Title, and should be used
the land in the Bureau's Record of Title, and should be used
the land in the Bureau's Record of Title, and should be used

CURRENT TO	NO 2
8-5-2008	12 S
	73 W

NO 2
12 S
73 W
ACAD

TOWNSHIP 12 SOUTH, RANGE 73 WEST, OF THE SEWARD MERIDIAN, ALASKA



This plat and the field notes of the survey monumentation provide the entire survey record.

This plat represents the survey of the Third Standard Parallel South along the south boundary of Township 12 South through Range 73 West, the Eighteenth Guide Meridian West through Township 12 South between Ranges 72 and 73 West, and the meanders of Township 12 South, Range 73 West, Seward Meridian, Alaska. The subdivisional lines of the township were surveyed by protection as shown on this plat.

U.S. Survey No. 2024 was surveyed by Floyd C. Settle, C.E. Cadastral Engineer, in 1921, the dependent resurvey of U.S. Survey No. 2024 was surveyed by Hanson W. Thayer, Supervisory Cadastral Surveyor, in 1939.

U.S. Survey No. 5081 was surveyed by Hanson W. Thayer, Supervisory Cadastral Surveyor, in 1969.

U.S. Survey Nos. 9636, 9642, 9643, 9644, 9646, and 9647 were surveyed under contract by Paul E. Von, Registered Alaska Land Surveyor No. 12-3745, in 1990 and accepted subsequent to this survey and are depicted on this plat based upon the original records.

This survey was executed by Timothy A. Kent and Carl B. Lyon, Cadastral Surveyors, September 5, 1979, through September 28, 1987, in accordance with the specifications set forth in the Manual of Surveying Instructions, 1973, Special Instructions for Group No. 194, Alaska, dated September 28, 1978, approved May 8, 1979, and Assignment Instructions dated August 22, 1979, and June 20, 1980.

Corner positions of this survey were determined by Airborne Control Survey and Auto-Survey methods, utilizing control stations established by the U.S. Coast and Geodetic Survey, the U.S. Army Corps of Engineers, and Bureau of Land Management. Monuments were set at protected corner positions based upon the official Bureau of Land Management protection diagrams.

The mean magnetic declination shown on this plat was obtained from U.S. Geological Survey quadrangle map "GOODNEWS (4-7)", Alaska, 1954 edition, with minor revisions in 1973.

The hydrography shown on this plat identifies the meanders along the mean high tide line and ordinary high water line of water bodies incorporated from the land area. The meanders are photogrammetrically interpreted and digitized from color infrared and black and white orthophotography films in August 1982 by the National Aeronautics and Space Administration. The digital meander line data pictorially represent the meanders used to calculate the areas shown on this plat.

The aluminum triangular markers referred to in the field notes of the survey monumentation are 15 inches long on each side, with fluorescent orange plastic coating attached to 3/4-inch-diameter aluminum rods.

Acceptance of this survey does not purport to transfer any interest in submerged lands to which the state of Alaska is entitled under the Equal Footing Doctrine and Section 6(a) of the Alaska Statehood Act, P.L. 85-508, notwithstanding the use, location, or absence of meander lines to depict water bodies.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Anchorage, Alaska

This plat is strictly conformable to the approved field notes, and the survey, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

For the Director
Mack C. Davis April 29, 1994
Deputy State Director for Cadastral Survey

Prot. SHEET 520-15
T. 12 S., R. 73 W., S. 1
Goodnews A-7

SURVEYED TOWNSHIP 12 SOUTH RANGE 72 WEST OF THE SEWARD MERIDIAN, ALASKA

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

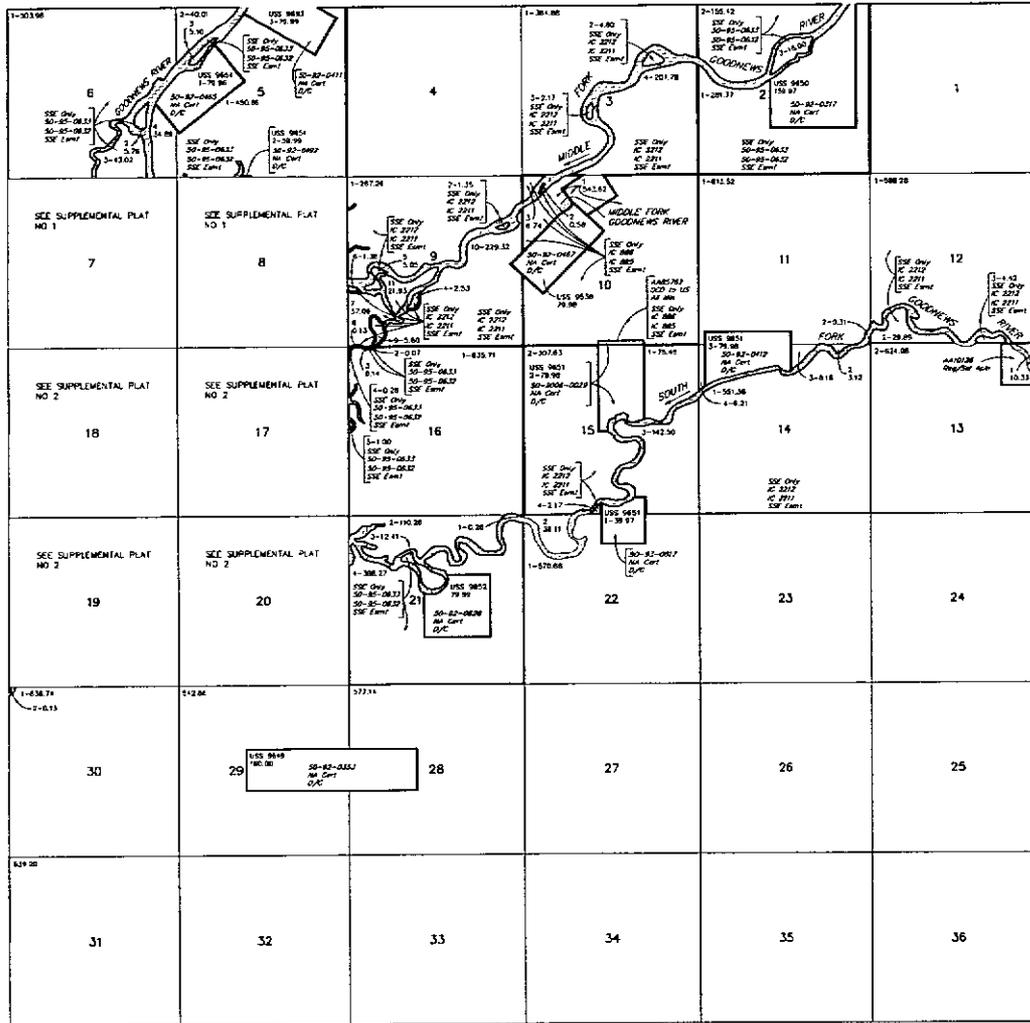
MTP

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHIN OR FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC RESOURCES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

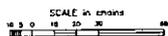
PL 92-201 and 714862, Loc. W/2 714862-A, 714862-A2

PLD 5184 and Ci affects Lands/Interests not conveyed

AA7648 SS Amst PL 96-687 Sec 906(g) Top Third



Lat 59°05'12.66"N
Long 161°16'34.66"W



NOTES:
This plat is the Bureau's Record of Title, and should be used
only as a graphic index of the Bureau's survey work. It is
not intended to and should not be used as a substitute for
reference to, or a replacement of, any other records of title.
Refer to the metadata page for additional survey information.

CURRENT TO	Surv. Map
7-23-2009	T 12 S
	R 72 W

ACAD

SURVEYED TOWNSHIP 12 SOUTH RANGE 72 WEST OF THE SEWARD MERIDIAN, ALASKA

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

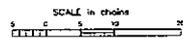
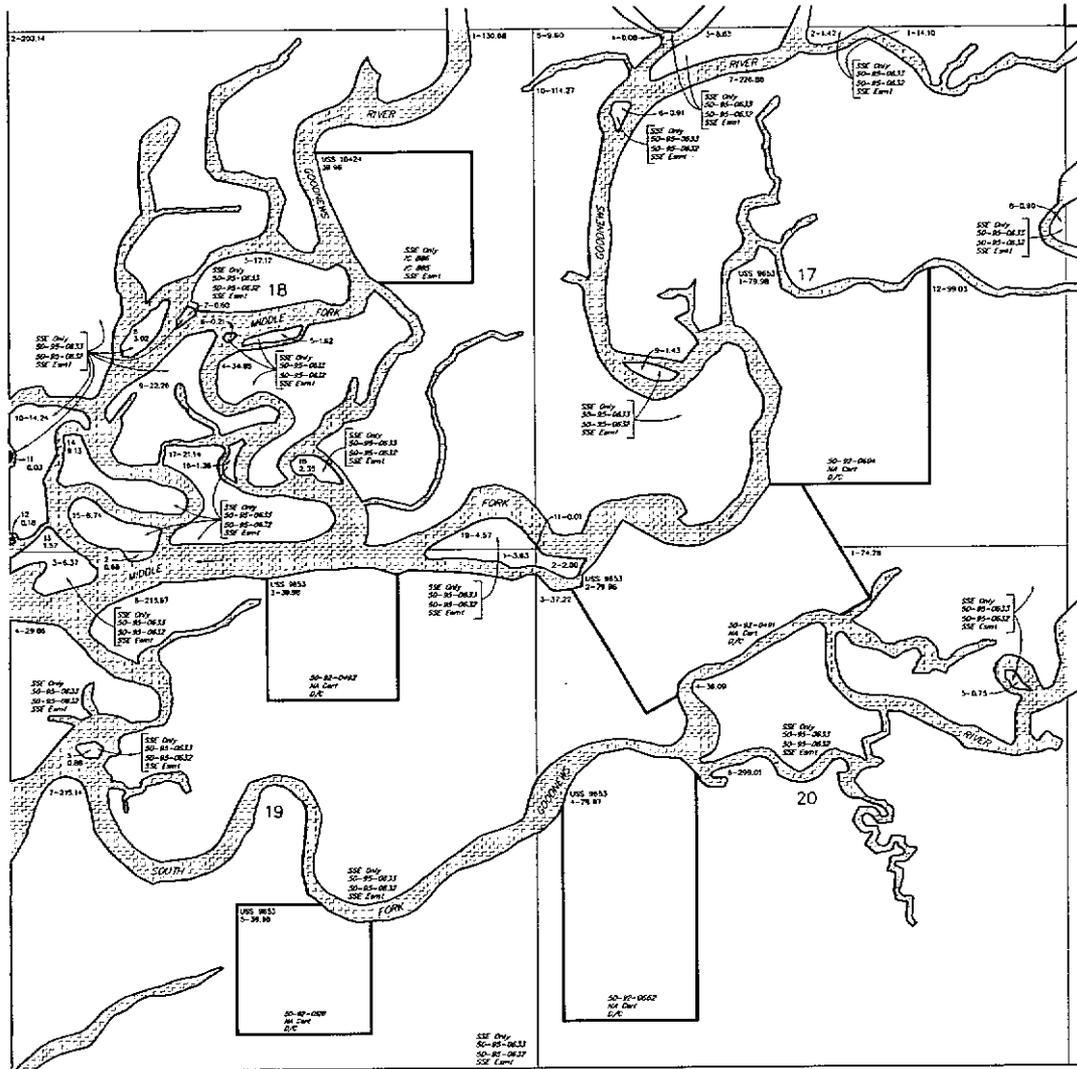
**MTP
SUPPL SECS 17-20**

NO 2

FOR OWNERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PL 89-203 AND TABLES USE WITH TABLES A, TABLES A-2

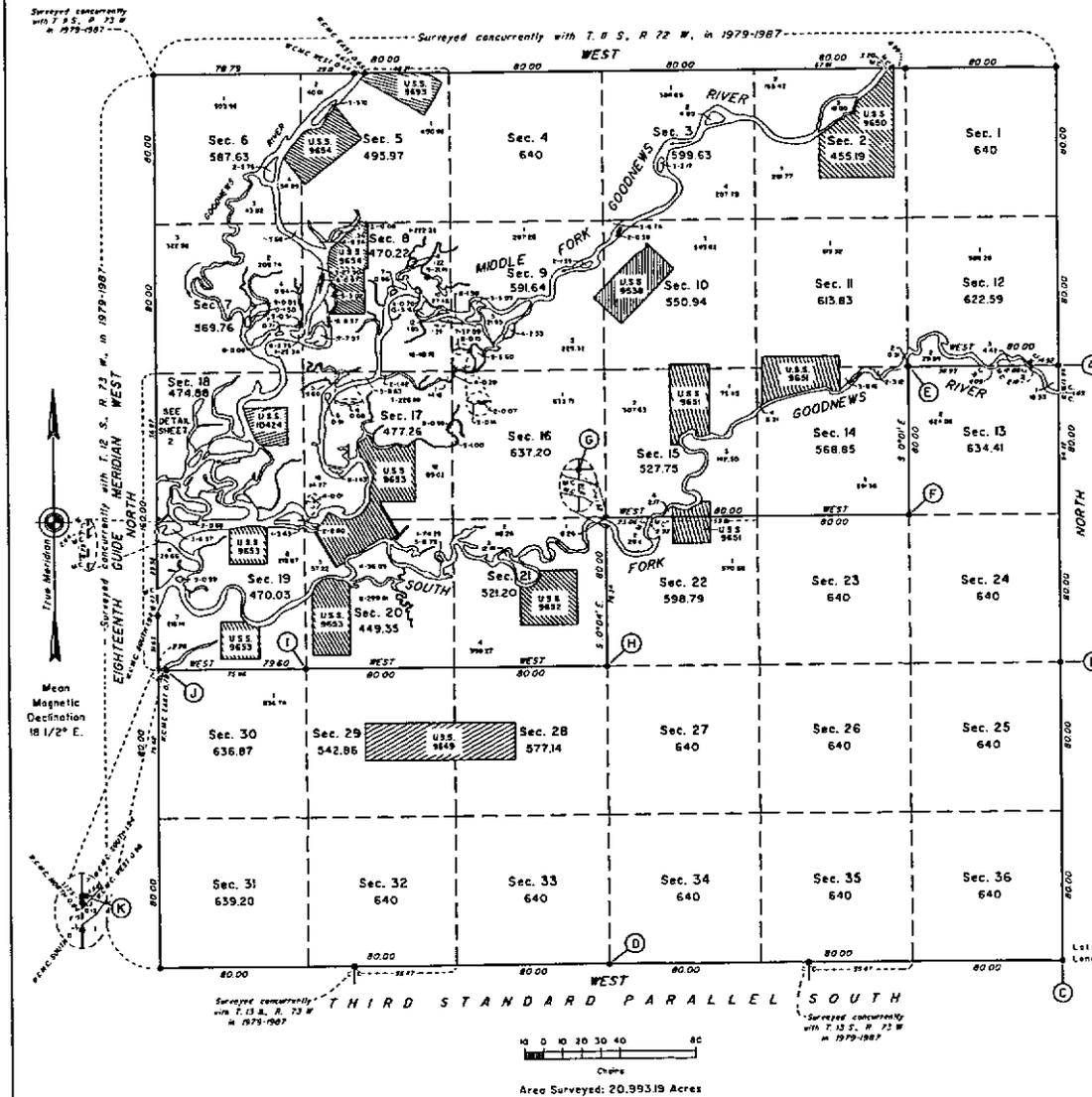
FIELD SIGNAGE OF EFFECTS LOCATIONS NOT SURVEYED



WARNING:
This plat is the Bureau's Record of Title and should be used
only as a graphic display of the historical survey data. Rec-
ords herein do not reflect title changes which may have been
effected by federal government or state or other bodies of water.
Refer to the corrected maps for official survey information.

CURRENT TO	NO 2
3-9-2007	Sec 17 S
	T 12 S
	R 72 W
	ACAD

TOWNSHIP 12 SOUTH, RANGE 72 WEST, OF THE SEWARD MERIDIAN, ALASKA



This plat and the field notes of the survey monumentation provide the entire survey record.

This plat represents the survey of the Third Standard Parallel South along the south boundary of Township 12 South through Range 72 West, the east boundary, a portion of the subdivisional lines, and the meanders of Township 12 South, Range 72 West, Seward Meridian, Alaska. A portion of the subdivisional lines of the township were surveyed by protraction as shown on this plat.

U.S. Survey Nos. 9532, 9649, 9650, 9651, 9652, 9653, 9654, and 9693 were surveyed under contract by Paul E. For, Registered Alaska Land Surveyor No. 12-1745, in 1930 and accepted subsequent to this survey and are depicted on this plat based upon the original records.

U.S. Survey No. 10414 was surveyed under contract by Nicholas M. Schoder, Registered Alaska Land Surveyor No. 12-5168, in 1919 and accepted subsequent to this survey and are depicted on this plat based upon the original records.

This survey was executed by Timothy A. Kent and Carl S. Lyon, Cadastral Surveyors, September 5, 1929, through September 28, 1927, in accordance with the specifications set forth in the Manual of Surveying Instructions, 1913, Special Instructions for Group No. 194, Alaska, dated September 28, 1918, approved May 8, 1919, and Assignment Instructions dated August 27, 1919, and June 30, 1920.

Corner positions of this survey were determined by Altimeter Control Survey and Auto-Survey methods, utilizing control stations established by the U.S. Coast and Geodetic Survey, the U.S. Army Corps of Engineers, and Bureau of Land Management. Monuments were set at protracted corner positions based upon the official Bureau of Land Management protraction diagrams.

The mean magnetic declination shown on this plat was obtained from U.S. Geological Survey quadrangle map "GOODNEWS (A-7)", Alaska, 1934 edition, with minor revisions in 1913.

The hydrography shown on this plat identifies the meanders along the ordinary high water line of water bodies segregated from the land area. The meanders are photogrammetrically interpreted and digitized from color infrared and black and white orthophotography flown in August 1981 by the National Aeronautics and Space Administration. The digital meander line data pictorially represent the meanders used to calculate the areas shown on this plat.

The aluminum triangular markers referred to in the field notes of the survey monumentation are 15 inches long on each side, with fluorescent orange plastic marking attached to 3/4-inch-diameter aluminum rods.

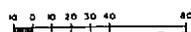
Acceptance of this survey does not purport to transfer any interest in submerged lands to which the state of Alaska is entitled under the Equal Footing Doctrine and Section 6(a) of the Alaska Statehood Act, P.L. 85-508, notwithstanding the use, location, or absence of meander lines to depict water bodies.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Anchorage, Alaska

This plat is strictly conformable to the approved field notes, and the survey, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

For the Director
M. C. Jones *April 29, 1934*
Date
Deputy State Director for Cadastral Survey,
Alaska

Latitude 59°05'12.66" N
Longitude 161°10'54.66" W
(MAD 27)



MO. SHEET: 530-14
T. 12S., R. 72 W., S. 50
GOODNEWS A-7

SURVEYED TOWNSHIP 11 SOUTH RANGE 72 WEST OF THE SEWARD MERIDIAN, ALASKA

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

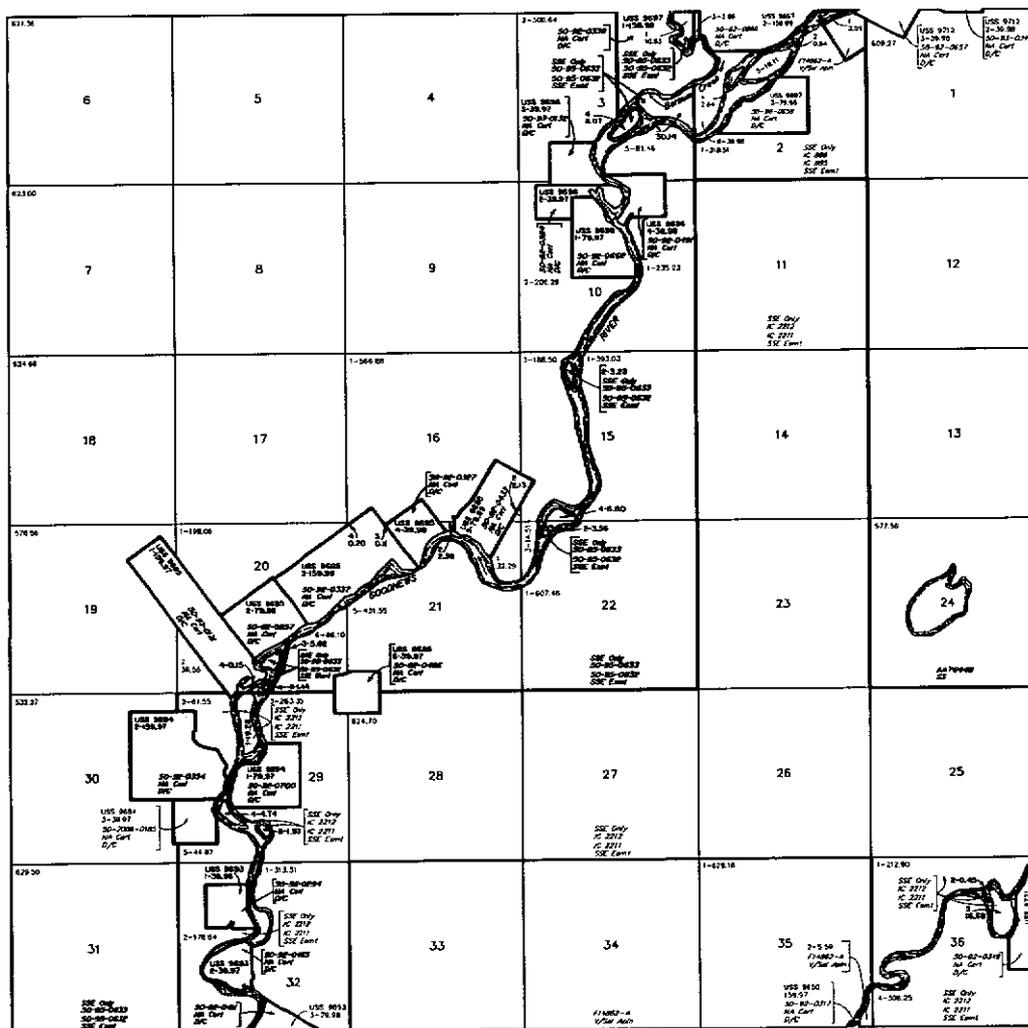
MTP

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WHEREIN FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS

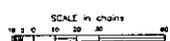
PL 92-203 AND 714882, LES 873 714882-A, 714882-B

PLD 5184 AND C1 affects Les/Interests not conveyed

ALASKA 55 Annot. PL 96-487 Sec. 906(C) Top Land



Lat 59°02'24.71"N
Long 161°05'54.66"W



WARNING:
This plat is the Bureau's Record of Title, and should be used
only as a guide. Copies of the location survey plat, and
other records, do not reflect the changes which may have been
effected by subsequent operations of record or other means of title.
Refer to the government surveys for official survey information.

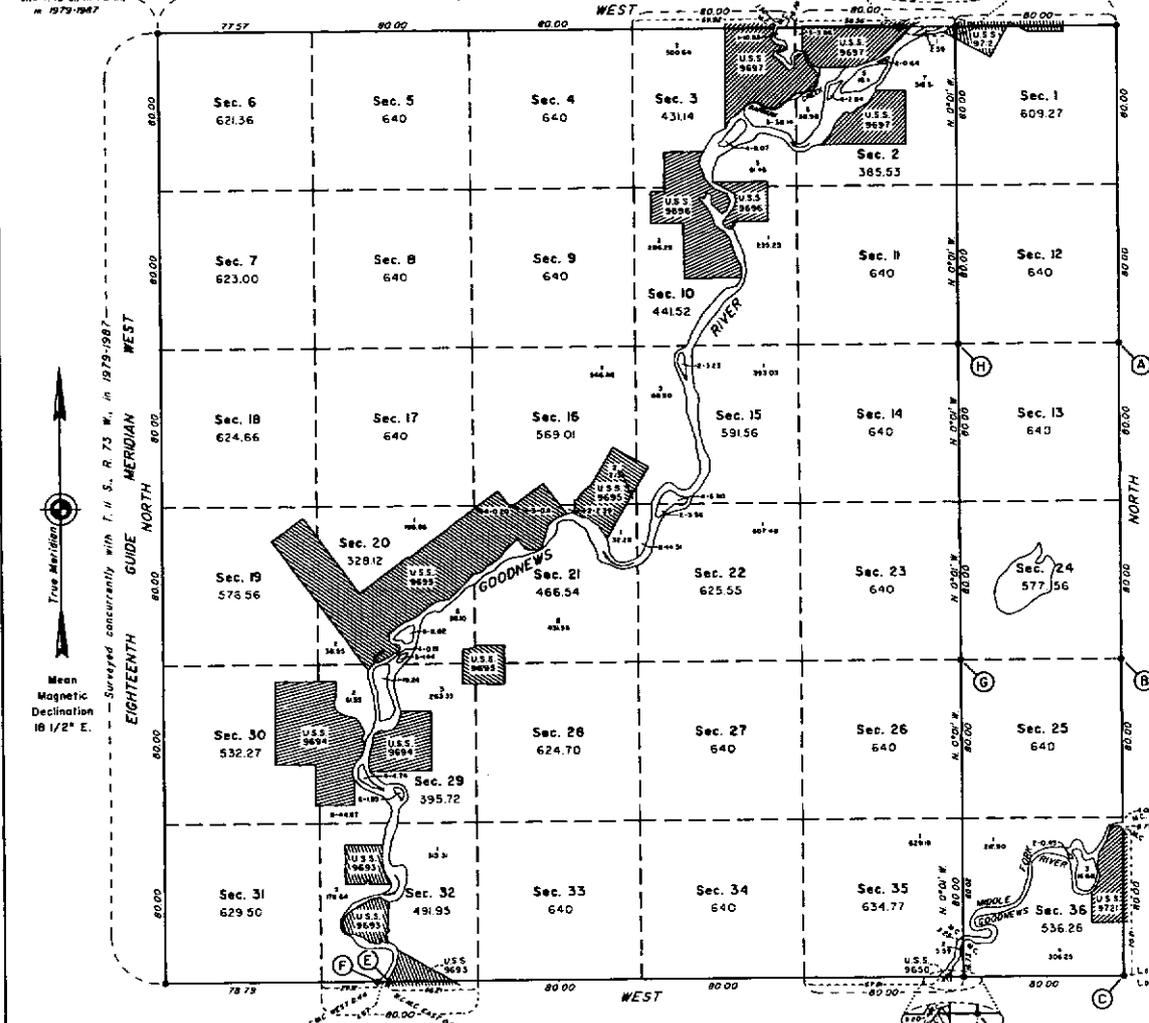
CURRENT TO	See Mer
7-23-2009	T 11 S R 72 W D

DATE MAY 20, 1994

TOWNSHIP 11 SOUTH, RANGE 72 WEST, OF THE SEWARD MERIDIAN, ALASKA

Surveyed concurrently with
with T. 10 S., R. 73 W.,
in 1979-1987

Surveyed concurrently with T. 10 S., R. 72 W., in 1979-1987



This plat and the field notes of the survey documentation provide the entire survey record.

This plat represents the survey of the south and east boundaries, a portion of the subdivisional lines, and the meanders of Township 11 South, Range 72 West, Seward Meridian, Alaska. A portion of the subdivisional lines of the township were surveyed by protraction as shown on this plat.

U.S. Survey Nos. 9650, 9683, 9684, 9695, 9694, 9697, 9712, and 9721 were surveyed under contract by Paul E. Fox, Registered Alaska Land Surveyor No. 12-1745, in 1980 and accepted subsequent to this survey and are depicted on this plat based upon the original records.

This survey was executed by Timothy A. Kent and Carl B. Lyon, Cadastral Surveyors, September 5, 1979, through September 28, 1987, in accordance with the specifications set forth in the Manual of Surveying Instructions, 1973, Special Instructions for Group No. 194, Alaska, dated September 26, 1978, approved May 8, 1979, and Assignment Instructions dated August 22, 1979, and June 10, 1980.

Corner positions of this survey were determined by Airborne Control Survey and Auto-Surveyor methods, utilizing control stations established by the U.S. Coast and Geodetic Survey, the U.S. Army Corps of Engineers, and Bureau of Land Management. Monuments were set at protracted corner positions based upon the official Bureau of Land Management protraction diagrams.

The mean magnetic declinations shown on this plat were obtained from U.S. Geological Survey quadrangle map "GOODNEWS (A-7)," Alaska, 1954 edition, with minor revisions in 1973.

The hydrography shown on this plat identifies the meanders along the ordinary high water line of water bodies segregated from the land area. The meanders are photogrammetrically interpreted and digitized from color infrared and black and white orthophotography flown in August 1983 by the National Aeronautics and Space Administration. The digital meander line data pictorially represent the meanders used to calculate the areas shown on this plat.

The aluminum triangular markers referred to in the field notes of the survey documentation are 15 inches long on each side, with fluorescent orange plastic coating attached to 3/4-inch-diameter aluminum rods.

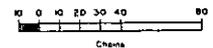
Acceptance of this survey does not purport to transfer any interest in submerged lands to which the State of Alaska is entitled under the Equal Footing Doctrine and Section 6(s) of the Alaska Statehood Act, P.L. 85-506, notwithstanding the use, location, or absence of meander lines to depict water bodies.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Anchorage, Alaska

This plat is strictly conformable to the approved field notes, and the survey, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

For the Director
Must C. Jones April 29, 1994
Date
Deputy State Director for Cadastral Survey,
Alaska

B.L.M.
"EC 10729 1979"
Lat. 69°10'40.29" N
Long. 151°18'54.66" W
Mag. 27
Magnetic Declination
16°11'24.71" N
Longitude 151°18'54.66" W
(NAD 77)



Area Surveyed: 20,916.57 Acres

DATE December 9, 2008

TOWNSHIP 11 SOUTH, RANGE 72 WEST, OF THE SEWARD MERIDIAN, ALASKA

(A)

The cor. of secs. 23, 24, 25 and 26, monumented with steel rod, 3/8 in. diam., 1 1/2 ft. long, projecting 12 in. above the ground, 100% diam. cap and 1/8 in. x 1/8 in. x 1/4 in. x 1/4 in. x 1/4 in.

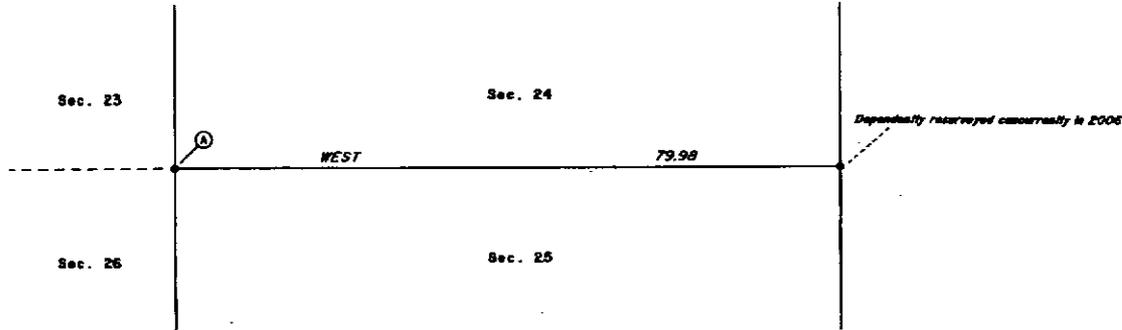
First monument in place, projecting 4 in. above the ground.

The original steel rod, 3/4 in. diam., 3 1/2 ft. long, with an orange glass triangle marker bolted on top, 10 in. x 1/2 in. x 1/2 in.

Drill a steel fence post, 5 ft. long, 2 in. in the ground, 10 in. x 1/2 in. x 1/2 in.

And mark 2006 to the top.

Located on level nearby fence.



I, John A. Fox, HEREBY CERTIFY upon honor that in pursuance of Special Instructions for Group No. 974, Alaska, dated March 1, 2006, I have executed the survey depicted on this plat in strict conformity with said Special Instructions, the Manual of Instructions for the Survey of the Public Lands of the United States, 1973, and in the specific manner described on this plat.

MAY 29, 2008
Date

John A. Fox
Cadastral Surveyor

This plat contains the entire survey record.

The exterior boundaries, a portion of the subdivisional lines and the meanders of Township 11 South, Range 72 West, Seward Meridian, Alaska, were surveyed by Timothy A. Keet and Carl B. Lyon, Cadastral Surveyors, in 1979-1987.

There are numerous U.S. Surveys within Township 11 South, Range 72 West of the Seward Meridian, Alaska.

This survey was executed by John A. Fox, Cadastral Surveyor, June 12 through July 1, 2006, in accordance with the specifications set forth in the Manual of Surveying Instructions, 1973, and Special Instructions for Group No. 974, Alaska, dated March 1, 2006, approved June 9, 2006, and Assignment Instructions dated June 1, 2006.

Field assistants were:

- John G. Hill, Lead Surveyor
- Thomas B. O'Toole, Lead Surveyor
- Mathew H. Price, Lead Surveyor
- Michael R. Stephen, Lead Surveyor
- Mark A. Erickson, Surveying Trainee
- Jacob M. Erickson, Surveying Technician
- Robert A. Goodwin, Surveying Technician
- Melinda R. Wiffman, Surveying Technician

The azimuth was determined from a control network using the Global Positioning System, using static relative positioning techniques, and refers to the true meridian.

Unless otherwise noted all areas are as shown on the original plat.

The geographic position of the corner of sections 19, 24, 25 and 30 on the east boundary of the Township, as determined from the plat accepted April 29, 1994, is:

Latitude: 59° 12' 08.72" North
Longitude: 161° 18' 54.66" West
MAD 27

The mean magnetic declination was obtained from U.S. Geological Survey quadrangle map "COOKSWAY BAY (A-7)" Alaska, 1954 edition, with minor revisions in 1984.

This survey is situated 13 miles southeast of Goodnews, Alaska.

The land is mostly level, covered with elder and willow brush.

Access to the survey was by helicopter.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Anchorage, Alaska

The survey represented by this plat, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

For the Director

John Sample August 15, 2008
Date

Deputy State Director for Cadastral Survey, Alaska

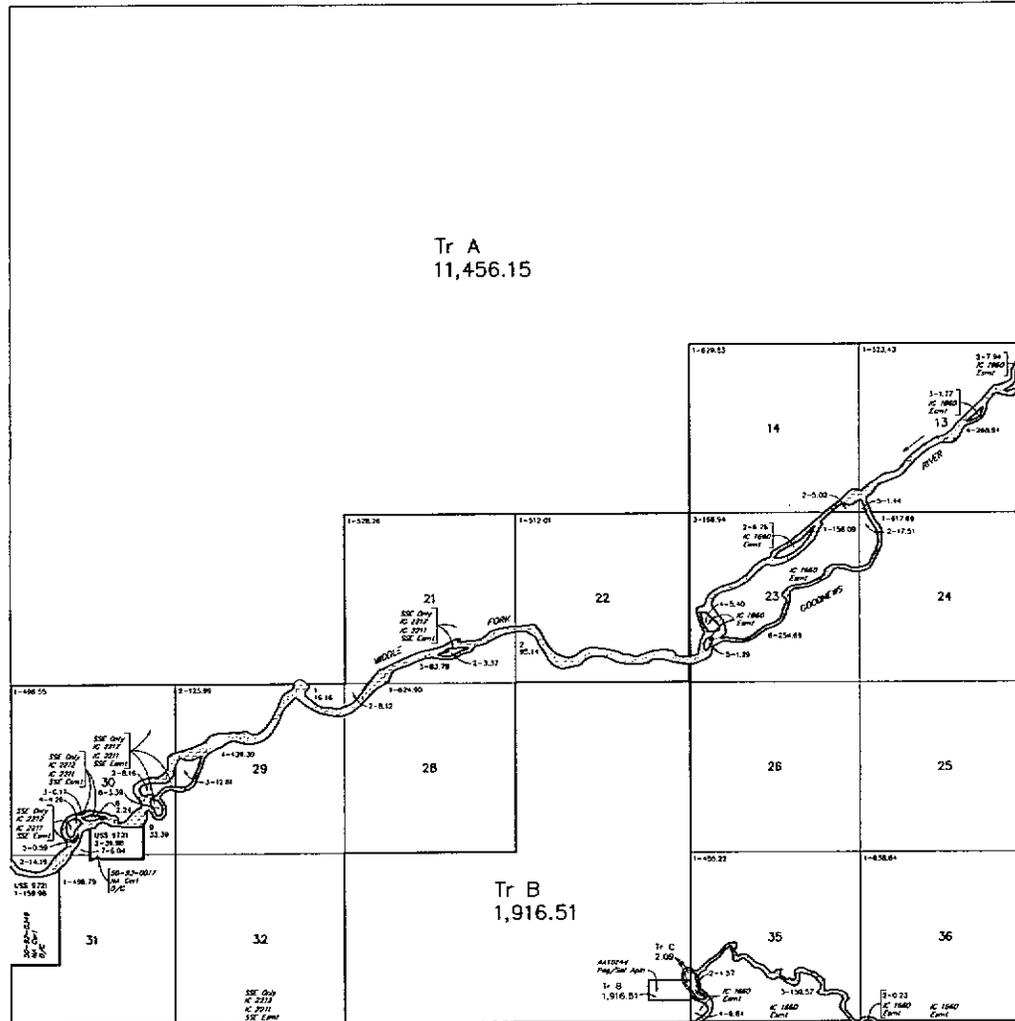
SURVEYED TOWNSHIP 11 SOUTH RANGE 71 WEST OF THE SEWARD MERIDIAN, ALASKA

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHIN OR FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO BOOKS OF MISCELLANEOUS DOCUMENTS.

PLD 5124 REF. CI OFFICE LOG/ALTERS NOT CONVEYED



SCALE in chains
10 20 30 40

NOTE:
This plan is the Survey's record of this, and should be used only as a general check of the location of the river. It does not reflect any changes which may have been made by later measurements of points or other forms of evidence. Refer to the original survey for correct survey information.

Lot 5910 24.708' N
Long 16108' 42.377' W

CURRENT TO	Sewer
7-23-2009	7-11-5

Range 71 W
ACAD

SURVEYED TOWNSHIP 10 SOUTH RANGE 72 WEST OF THE SEWARD MERIDIAN, ALASKA

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

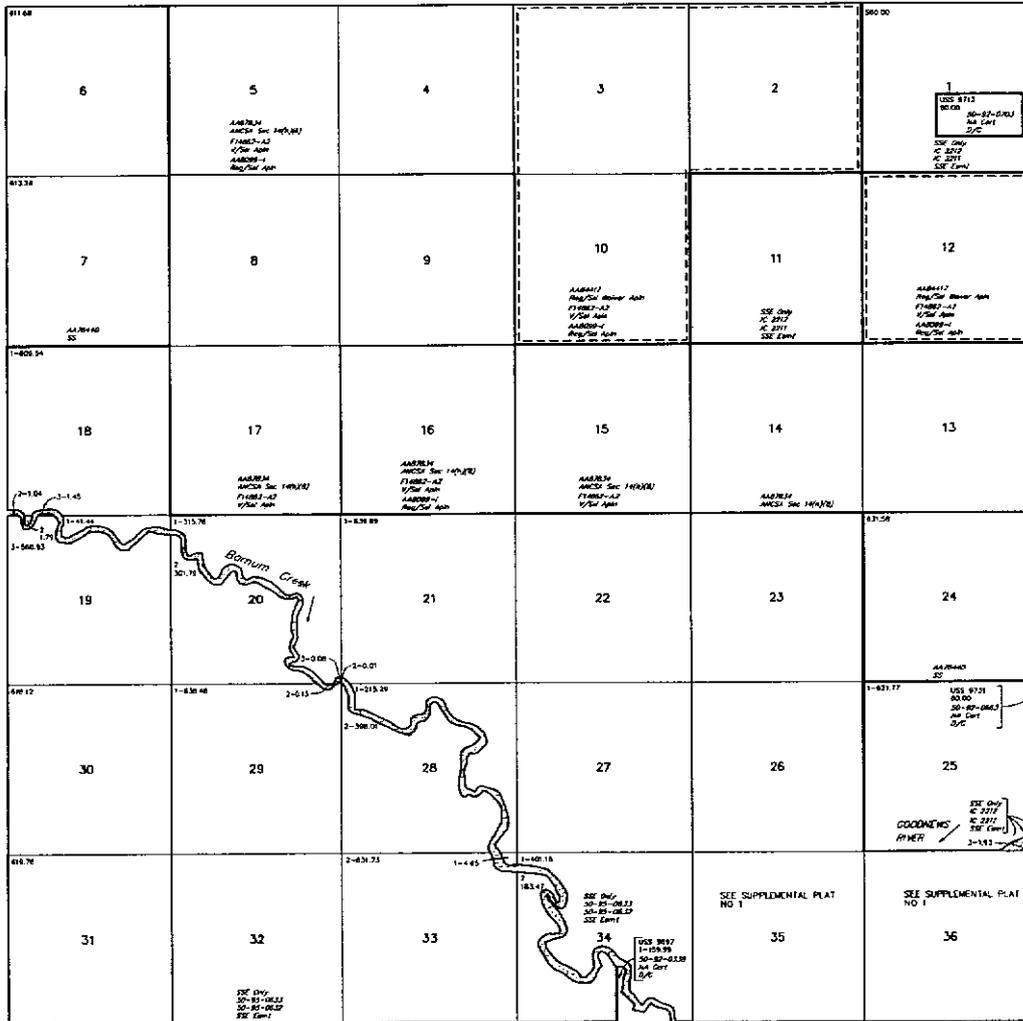
MTP

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
DETERMINED LANDS WITHIN OR FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS

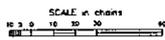
PL 97-263 AND F14862, LSA WA F14862-1, F14862-2

FLO 5184 REF D affects Les/Interests not conveyed

AA28440 SS Annex PL 96-487 Sec. 906(c) Top Flg



Lat 59°35'36.75"N
Long 167°18'54.88"W



WARNING:
This plan is the Bureau's Record of Title, and should be used
only as a general index of the location of the title. It
does not constitute a deed or other instrument. It is subject
to the provisions of the Alaska Statutes, and to the
provisions of the Alaska Constitution, and to the
provisions of the Alaska Land Use Act.

CURRENT ID	Sec Mer
8-13-7000	T 10 S R 72 W

ACAD

SURVEYED TOWNSHIP 10 SOUTH RANGE 72 WEST OF THE SEWARD MERIDIAN, ALASKA

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

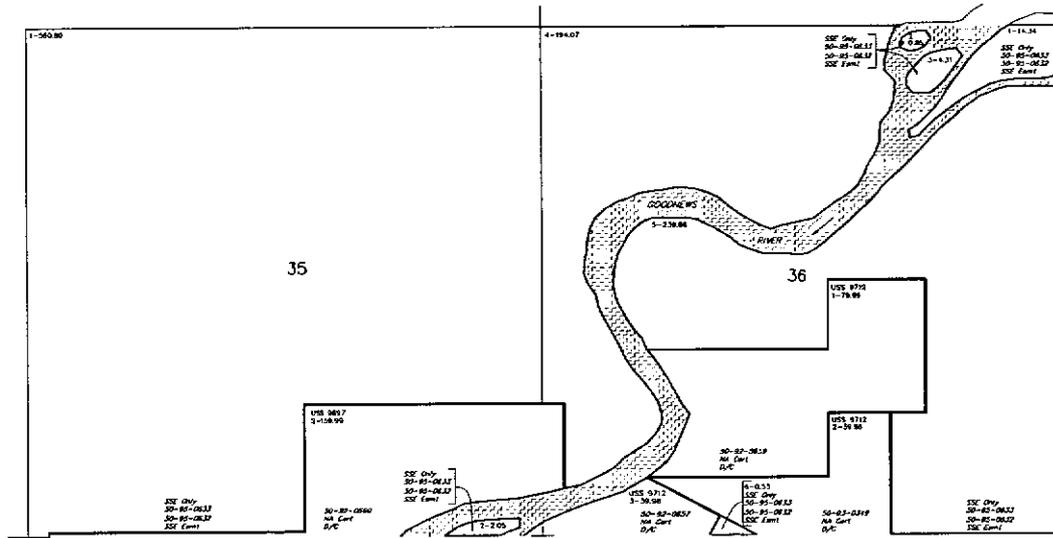
**MTP
SUPPL SEC 35 & 36**
NO 1

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION
MINERALS WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS

PL 97-202, 98th CONGRESS, 1st Sess. 11/19/82 - A 114882-52

PL 97-202, 98th CONGRESS, 1st Sess. 11/19/82 - A 114882-52

PL 97-202, 98th CONGRESS, 1st Sess. 11/19/82 - A 114882-52



SCALE in chains
0 5 10 20

NOTES:
This plan is the Bureau's Record of Title, and should be used
only in cases where the original survey data is not
available. It is not a substitute for the original survey data.
It is the responsibility of the user to verify the accuracy of the
data in the necessary survey for official survey information.

CURRENT ID	Sec	Mer
4-21-2008	T	10 S
	R	72 W

NO 1
ACAD

SURVEYED TOWNSHIP 10 SOUTH RANGE 71 WEST OF THE SEWARD MERIDIAN, ALASKA

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

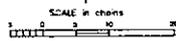
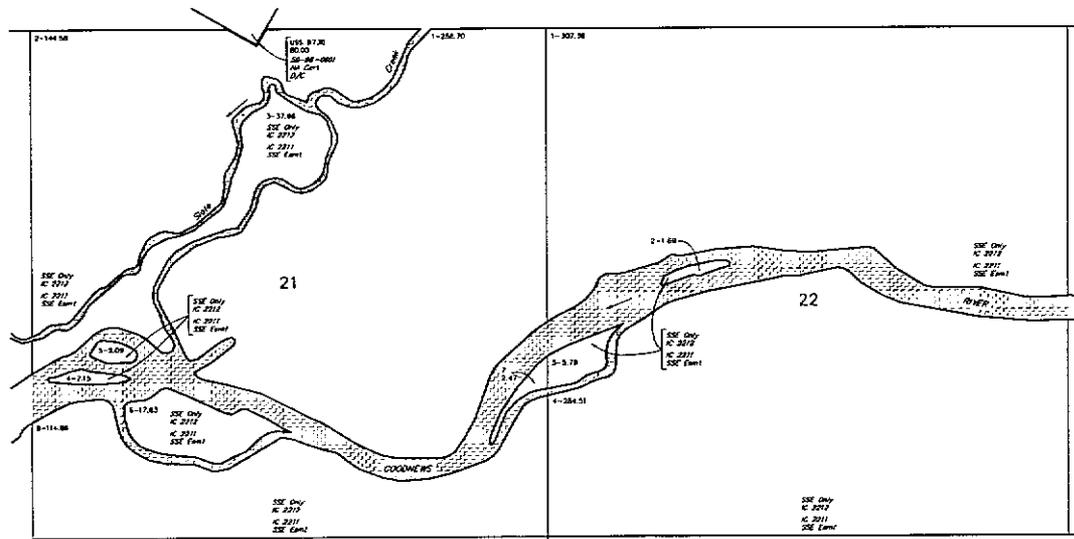
**MTP
SUPPL SECS 21 & 22**

NO 2

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHIN THIS FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PLG 5184 AND C affects Leds/Interests not conveyed

AA/BA/20 SS Amend. PA 06-487 Sec. 906(s) Top Filed



WARNING:
This part is the Surveyor's record of this, and should be used
only as a guide. Copies of the original survey, if any, will
be made available to the public upon request. This map does
not constitute a warranty of title or other rights of any
kind. It is the responsibility of the user to verify the accuracy
of the information shown on this map.

CURRENT TO	NO 2
7-23-2008	ACAD

SURVEYED TOWNSHIP 10 SOUTH RANGE 71 WEST OF THE SEWARD MERIDIAN, ALASKA

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

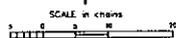
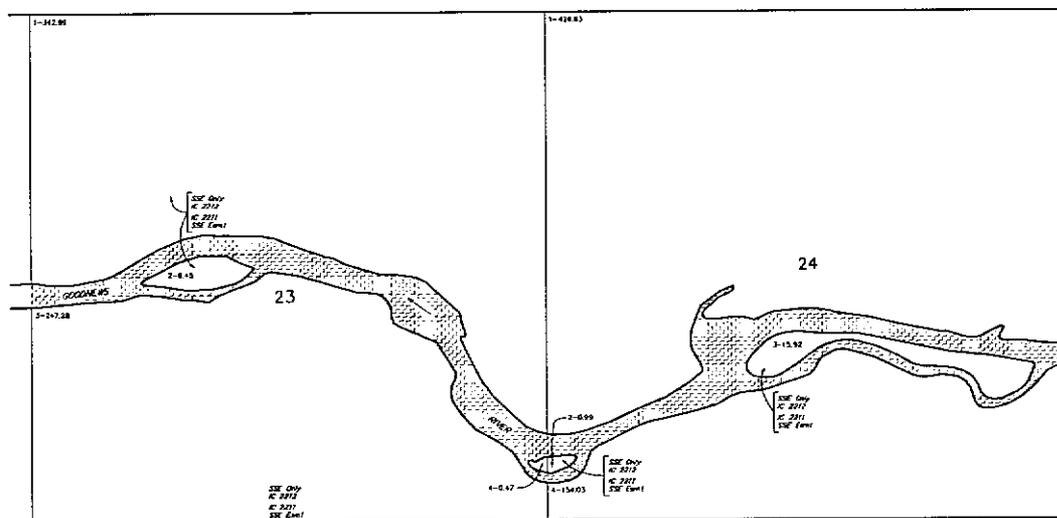
**MTP
SUPPL SECS 23 & 24**

NO. 3

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHIN THIS TOWNSHIP FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS

PLG 5184, M&C affects L&A/Interests not conveyed

AA76433 SS Amdt PL 56-687 Sec. 308(a) Top 7/80



WARNING:
This plan is the Bureau's Product of TMA, and should be used
only as a graphic display of the boundary survey data. The
one purpose of this report may change, which may have been
affected by recent information of maps or other types of data.
Refer to the customer survey for official survey information.

CURRENT TO	See Map	NO. 3
7-21-2008	T	10 S
	R	71 W

ACAD

UNSURVEYED TOWNSHIP 10 SOUTH RANGE 70 WEST OF THE SEWARD MERIDIAN, ALASKA

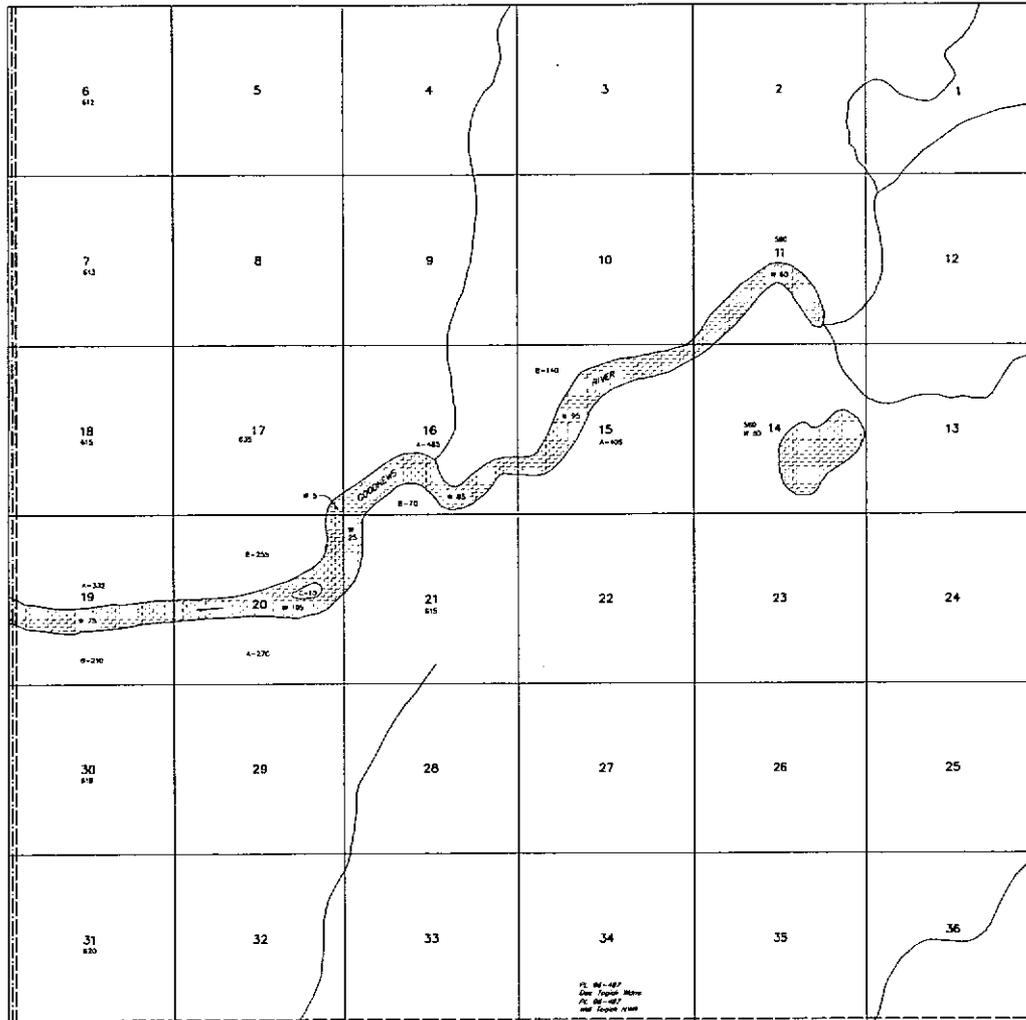
PROTRACTION DIAGRAM NO. 520-14 OFFICIALLY FILED 1/27/1960

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

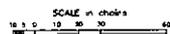
FOR OWNERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHIN THIS TOWNSHIP FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS

PLC 5175 AND Act of Leg. B. C. affects Lda/Interests
not conveyed



PL 94-87
Act. Taylor Mine
PL 94-887
and Taylor vein

Lat 59°15'36.751"N
Long 160°56'42.018"W



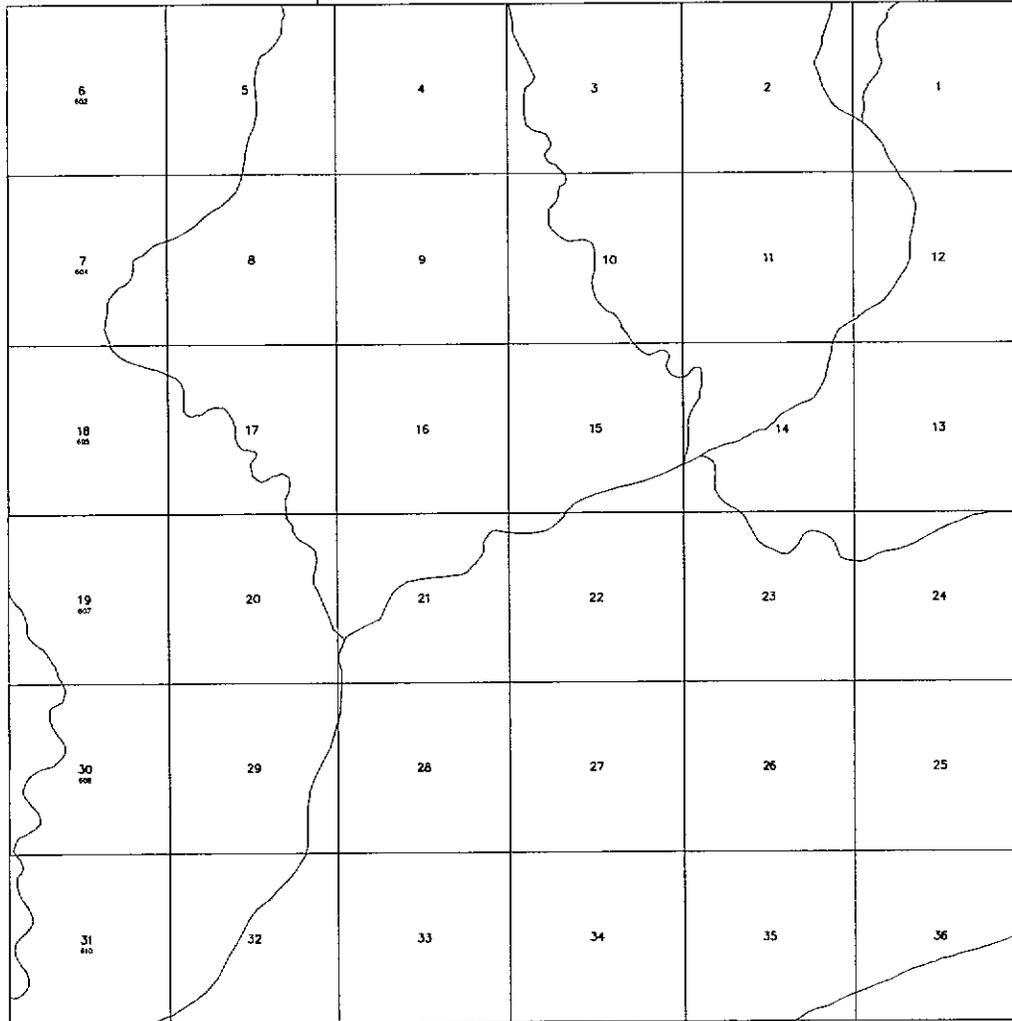
WARNING:
This plan is the Bureau's Record of Title, and should be used
only as a guide, except in the immediate vicinity of the
land shown. Do not expect this drawing, which may have been
altered by subsequent instruments of title or other means of title.
Refer to the applicable surveys for further survey information.

CURRENT TO	Some Map
7-28-2008	T 10.5 R 70.5

ACAD

UNSURVEYED TOWNSHIP 9 SOUTH RANGE 69 WEST OF THE SEWARD MERIDIAN, ALASKA
 PROJECTION DIAGRAM NO. S20-14 OFFICIALLY FILED 1/27/1960

R 69W R 68W



STATUS OF PUBLIC DOMAIN
 LAND AND MINERAL TITLES

MTP

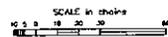
FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
 IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION
 MATERIALS, WATER AND/OR OTHER PUBLIC PURPOSES
 REFER TO INDEX OF MISCELLANEOUS DOCUMENTS

PLD 5179 Amended by PLD 5250 and Act of Leg. & J.
affects Lands/Interests not conveyed

PL 05-467 and Topical Map entries to

PL 05-467 Des Topical Maps entries to

Lat 59°20'48.790"N
 Long 152°48'35.899"W



WARNING:
 This plan is the Bureau's record of fact, and should be used
 only as a guide to the location of the survey. It is not
 to be used as a title. The plan is subject to change
 without notice. It is not intended to be used as a
 title. It is not intended to be used as a title.
 Refer to the original survey for official survey information.

CURRENT TO	Surv. Map
6-25-2009	T. 9 S. R. 69 W.

ACAD

UNSURVEYED TOWNSHIP 8 SOUTH, RANGE 68 WEST OF THE SEWARD MERIDIAN, ALASKA

PROTRACTION DIAGRAM NO 580-12 OFFICIALLY FILED 1/27/1960

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

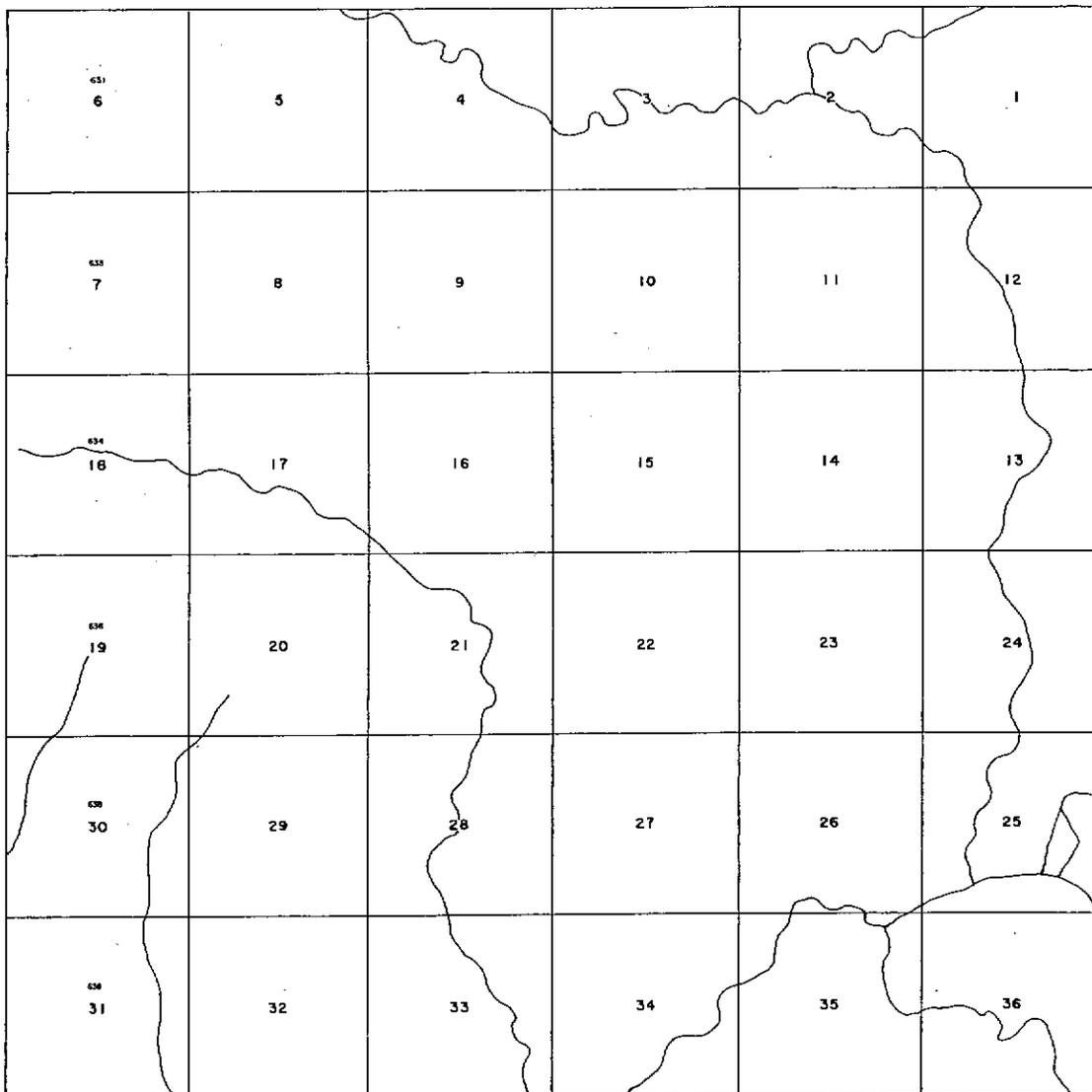
INDEX TO SEGREGATED TRACTS				
RE-SURVEY	ORIGINAL SURVEY			
	TRACT NO	T	R	SUBDIVISION

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES REFER TO INDEX OF MISCELLANEOUS DOCUMENTS:

PL0-3179 3/16/1978 CI And of Log entire Tp

PL96-487 12/12/1980 WGI Topical MWR entire Tp

PL96-487 12/2/1980 Over Topical Wides entire Tp



Lat 59°25'00.824\" N
Long 160°45'24.110\" W



WARNING
THIS PLAT IS THE BUREAU'S RECORD OF TITLE AND SHOULD BE USED ONLY AS A GRAPHIC DISPLAY OF TOWNSHIP SURVEY DATA. RECORDS HEREON DO NOT REFLECT TITLE CHANGES WHICH MAY HAVE BEEN EFFECTED BY LATERAL MOVEMENTS OF RIVERS OR OTHER BODIES OF WATER. REFER TO THE CADASTRAL SURVEY FOR OFFICIAL SURVEY INFORMATION.

JUN 09 1988

CURRENT TO	FBWS, BHL	T	85
		R	68W
			5M



88 JUN 88

UNSURVEYED TOWNSHIP 8 SOUTH RANGE 67 WEST OF THE SEWARD MERIDIAN, ALASKA

PROTRACTION DIAGRAM NO. 520-12 OFFICIALLY FILED 1-27-1960

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

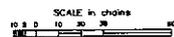
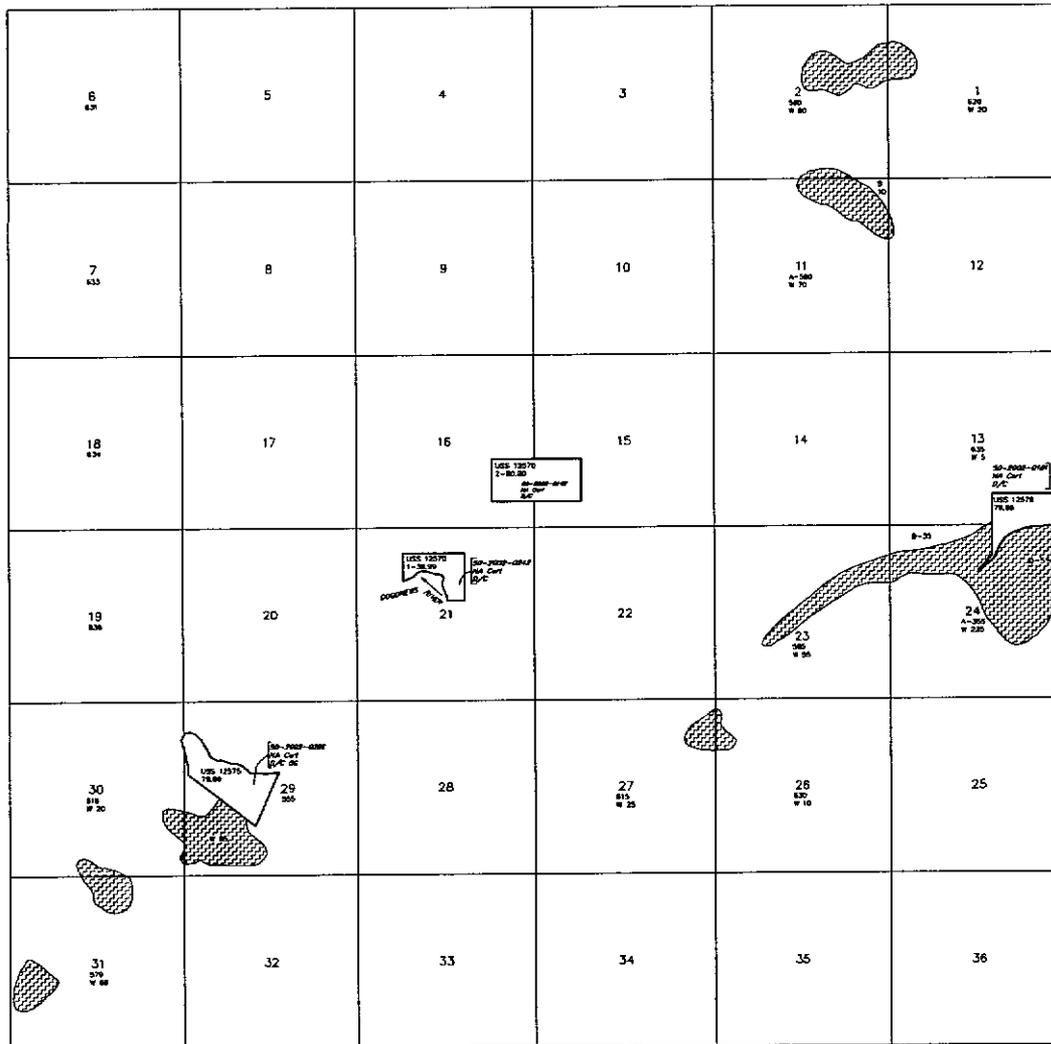
MTP

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PLD 5176 Amended by PLD 5250 and Act of Leg. 6-12
Effects L&M interests not conveyed

PL 98-687 and Topical MNR letters to

PL 98-687 does Topical MNR letters to



NOTICE: This plan is the Bureau's Report of 1960, and should be used only as a graphic display of the available survey data. Reciprocity and other laws may apply. Other surveys which have been affected by these measurements of range or other factors of water table to the existing survey for official survey information.

Lot 59 26'00.824" N
Long 180 35'11.601" W

CURRENT TO	FWS, BHL	See Mer
7-9-2002		T 8 S
		R 67 W

ACAD

UNSURVEYED TOWNSHIP 8 SOUTH RANGE 66 WEST OF THE SEWARD MERIDIAN, ALASKA
 PROJECTION DIAGRAM NO. S20-12 OFFICIALLY FILED 1/27/1960

STATUS OF PUBLIC DOMAIN
 LAND AND MINERAL TITLES

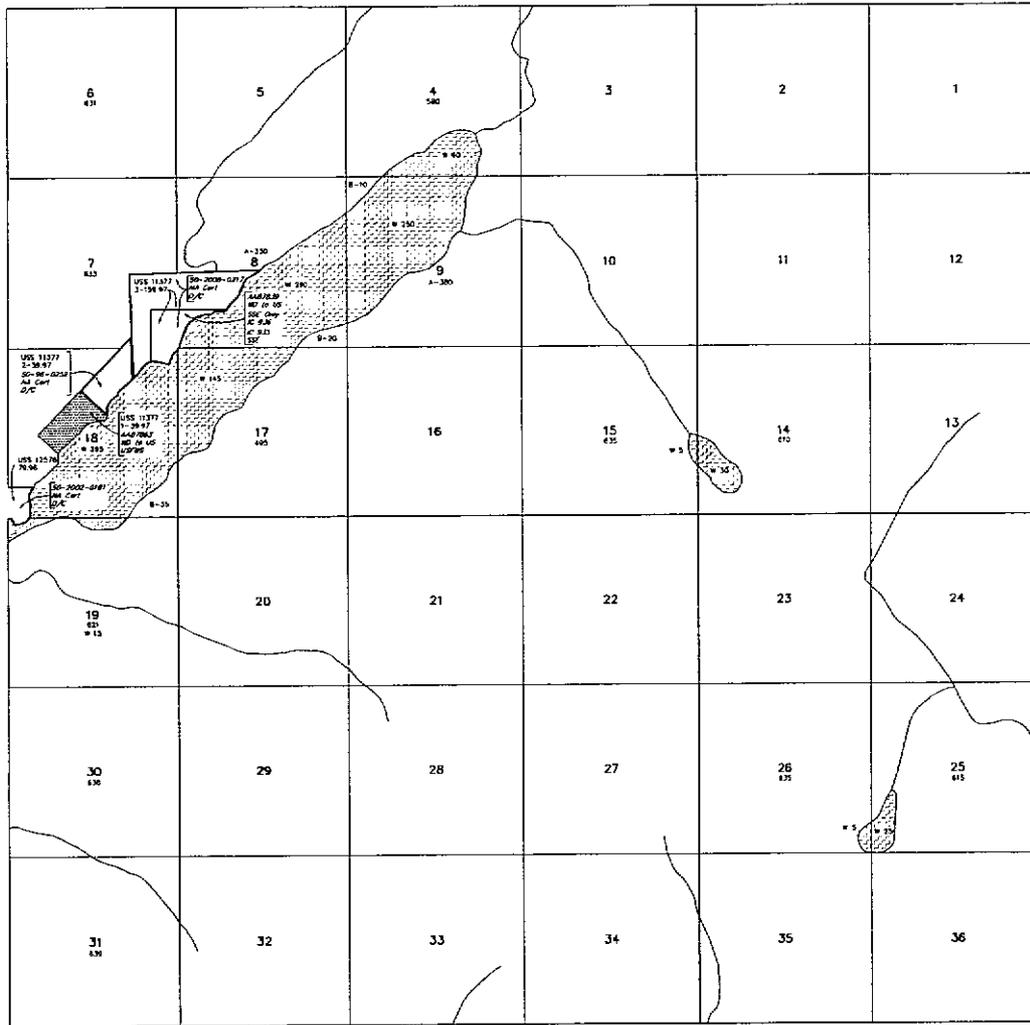
MTP

FOR AGERS EFFECTING DISPOSAL OR USE OF UN-
 IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION
 MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
 REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PLO 5179 Amended by PLO 5250 and Act of Cong. & C.
 affects Lds/Minerals not surveyed

P.L. 86-487 and Tropic Water Act

P.L. 86-487 and Tropic Water Act



Lat. 58°26'00.824\"/>

SCALE in chains
 0 10 20 30 40

WARNING:
 This plan to the Bureau's Record of RLs, and should be used
 only in a general manner of the Bureau's Survey Data. The
 plan should not be used for any other purpose. It is not intended
 for any other purpose. It is not intended for any other purpose.
 Refer to the individual records for official survey information.

CURRENT ID	5-1-2008	Acq Date	8-5	ACAD
		R	66 W	

U.S. SURVEY
NO. 11377, ALASKA

This plat contains the entire survey record.

This survey was executed by William W. McClintock, Registered Alaska Land Surveyor No. LS-5480, August 30, 1994 through September 2, 1994, in accordance with the specifications set forth in the Manual of Surveying Instructions, 1923, Special Instructions dated March 14, 1994, approved April 12, 1994, Supplemental Special Instructions dated August 5, 1994, approved August 8, 1994, and Assignment Instructions dated April 21, 1994.

Field Assistants were:

Walter K. Rice, Party Chief
Ralph J. Soash, Instrument Person

Area: 259.91 Acres.

The azimuth was obtained from direct observations of the sun, using the hour angle method, and refers to the true meridian.

The approximate geographic position of the witness corner to corner No. 1, Lot 1, a meander corner, as determined by scaling from U.S. Geological Survey quadrangle map "GOODNEWS BAY (B-5)," Alaska, 1979 edition, minor revisions 1983, is:

Latitude: 59° 29' 09.0" North (NAD 27)
Longitude: 160° 54' 14.3" West

The mean magnetic declination was taken from U.S. Geological Survey quadrangle map "GOODNEWS BAY (B-5)," Alaska, 1979, edition, minor revisions 1983.

This survey is located on the northerly shore of Goodnews Lake, approximately 45 miles northwesterly of the village of Goodnews Bay, Alaska.

The land is rolling, marshy tundra with numerous ponds and lakes throughout.

The soil is sandy silt with gravel.

Access to the site is by boat and/or airplane in the summer and by snowmachine in the winter.

Acceptance of this survey does not purport to transfer any interest in submerged lands to which the State of Alaska is entitled under the Equal Footing Doctrine and Section 6(a) of the Alaska Statehood Act, P.L. 85-508, notwithstanding the use, location, or absence of meander lines to depict water bodies.

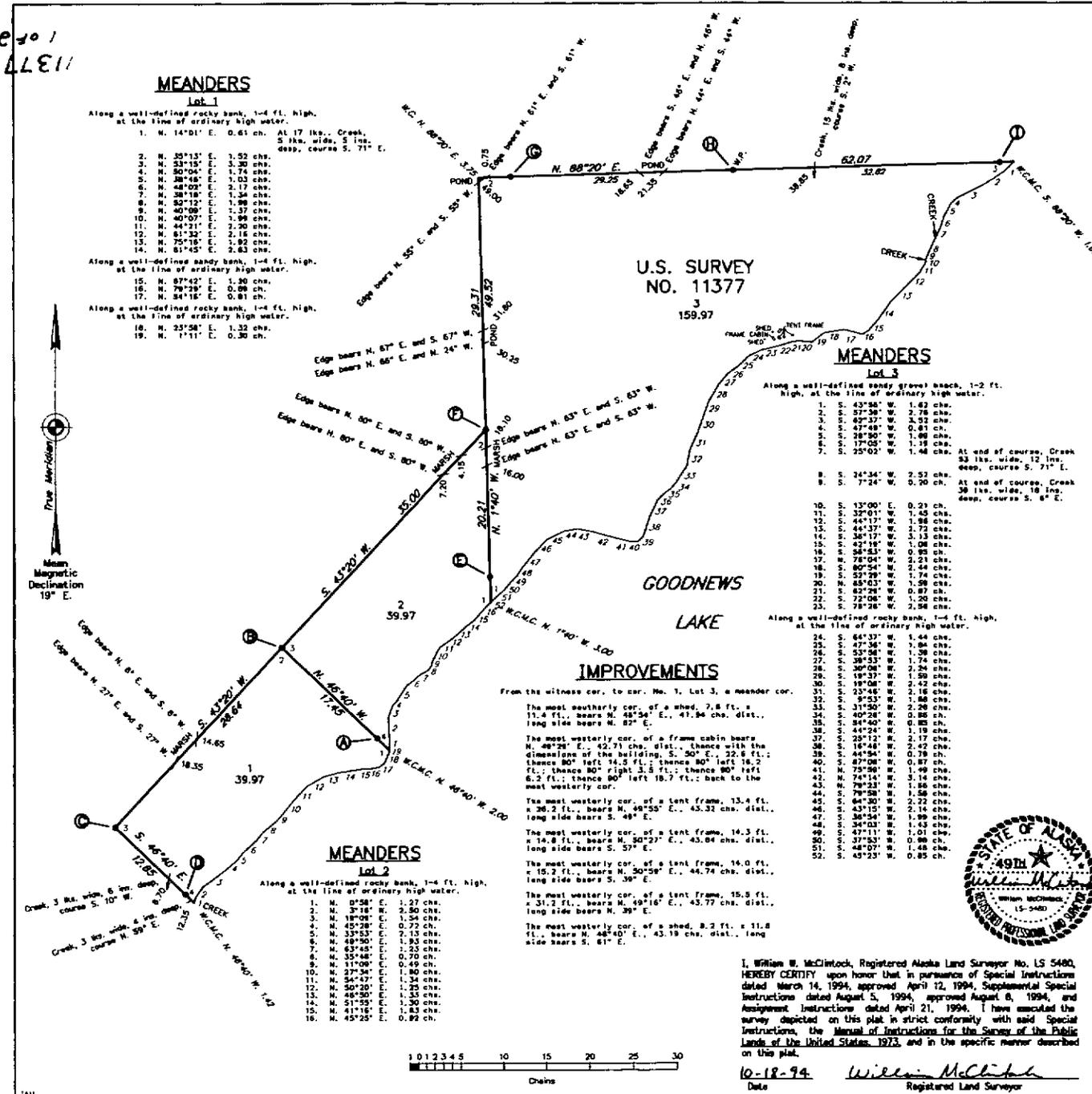
UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Anchorage, Alaska

The survey represented by this plat, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

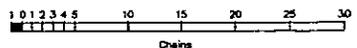
For the Director

George D. Zinait 19 October 1994
Deputy State Director for Cadastral Survey, Alaska

Post Sheet S20-12 T85/R666763, 5M
GOODNEWS BAY B-5



e 101
LLE11



I, William W. McClintock, Registered Alaska Land Surveyor No. LS 5480, HEREBY CERTIFY upon honor that in pursuance of Special Instructions dated March 14, 1994, approved April 12, 1994, Supplemental Special Instructions dated August 5, 1994, approved August 8, 1994, and Assignment Instructions dated April 21, 1994, I have executed the survey depicted on this plat in strict conformity with said Special Instructions, the Manual of Instructions for the Survey of the Public Lands of the United States, 1923, and in the specific manner described on this plat.
10-18-94 *William W. McClintock*
Date Registered Land Surveyor

C-108
L4811



Set an aluminum post, 30 in. long, 2 1/2 in. diam., 26 in. in the ground with stem cap mid. as shown, from which
A magnet in a fluorescent blue plastic case, bears S. 80° W., 15 in. dist., buried 18 in. below the ground.
A magnet in a fluorescent orange plastic case, bears N. 10° W., 15 in. dist., buried 18 in. below the ground.
Deposit a magnet in a clear plastic case at the base of the aluminum post.



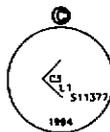
Set an aluminum post, 30 in. long, 2 1/2 in. diam., 26 in. in the ground with stem cap mid. as shown, from which
A magnet in a fluorescent blue plastic case, bears S. 30° W., 15 in. dist., buried 18 in. below the ground.
A magnet in a fluorescent orange plastic case, bears N. 50° W., 15 in. dist., buried 18 in. below the ground.
Deposit a magnet in a clear plastic case at the base of the aluminum post.



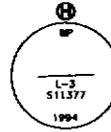
Set an aluminum post, 30 in. long, 2 1/2 in. diam., 26 in. in the ground with stem cap mid. as shown, from which
A magnet in a fluorescent pink plastic case, bears S. 55° E., 15 in. dist., buried 18 in. below the ground.
A magnet in a fluorescent blue plastic case, bears S. 55° W., 15 in. dist., buried 18 in. below the ground.
Deposit a magnet in a clear plastic case at the base of the aluminum post.



Set an aluminum post, 30 in. long, 2 1/2 in. diam., 26 in. in the ground with stem cap mid. as shown, from which
A magnet in a metallic silver plastic case, bears N. 65° E., 15 in. dist., buried 18 in. below the ground.
A magnet in a fluorescent pink plastic case, bears S. 45° E., 15 in. dist., buried 18 in. below the ground.
Deposit a magnet in a clear plastic case at the base of the aluminum post.



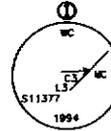
Set an aluminum post, 30 in. long, 2 1/2 in. diam., 26 in. in the ground with stem cap mid. as shown, from which
A magnet in a fluorescent pink plastic case, bears S. 55° E., 15 in. dist., buried 18 in. below the ground.
A magnet in a fluorescent blue plastic case, bears S. 30° W., 15 in. dist., buried 18 in. below the ground.
Deposit a magnet in a clear plastic case at the base of the aluminum post.



Set an aluminum post, 30 in. long, 2 1/2 in. diam., 26 in. in the ground with stem cap mid. as shown, from which
A magnet in a fluorescent blue plastic case, bears S. 45° W., 15 in. dist., buried 18 in. below the ground.
A magnet in a fluorescent orange plastic case, bears N. 45° W., 15 in. dist., buried 18 in. below the ground.
Deposit a magnet in a clear plastic case at the base of the aluminum post.



Set an aluminum post, 30 in. long, 2 1/2 in. diam., 26 in. in the ground with stem cap mid. as shown, from which
A magnet in a fluorescent blue plastic case, bears S. 70° W., 15 in. dist., buried 18 in. below the ground.
A magnet in a fluorescent orange plastic case, bears N. 15° W., 15 in. dist., buried 18 in. below the ground.
Deposit a magnet in a clear plastic case at the base of the aluminum post.



Set an aluminum post, 30 in. long, 2 1/2 in. diam., 26 in. in the ground with stem cap mid. as shown, from which
A magnet in a fluorescent blue plastic case, bears S. 45° W., 15 in. dist., buried 18 in. below the ground.
A magnet in a fluorescent orange plastic case, bears N. 45° W., 15 in. dist., buried 18 in. below the ground.
Deposit a magnet in a clear plastic case at the base of the aluminum post.



Set an aluminum post, 30 in. long, 2 1/2 in. diam., 26 in. in the ground with stem cap mid. as shown, from which
An Agass, 6 in. diam., bears N. 40 1/4° E., 321 in. dist., and X B.
A magnet in a fluorescent orange plastic case, bears N. 45° W., 15 in. dist., buried 18 in. below the ground.
Deposit a magnet in a clear plastic case at the base of the aluminum post.

U.S. SURVEY
NO. 11377, ALASKA

REFERENCE SHOULD BE MADE
TO
SHEET No. 1
FOR SURVEY INFORMATION

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Anchorage, Alaska

The survey represented by this plat, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

For the Director

George J. Christ 19 October 1994
Date
Deputy State Director for Cadastral Survey, Alaska

Print Sheet 520-12 T85, R664874, 5PM
GOODNEWS BAY B-5

UNSURVEYED TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SEWARD MERIDIAN, ALASKA

PROTRACTION DIAGRAM 620-12 OFFICIALLY FILED 1/27/1960

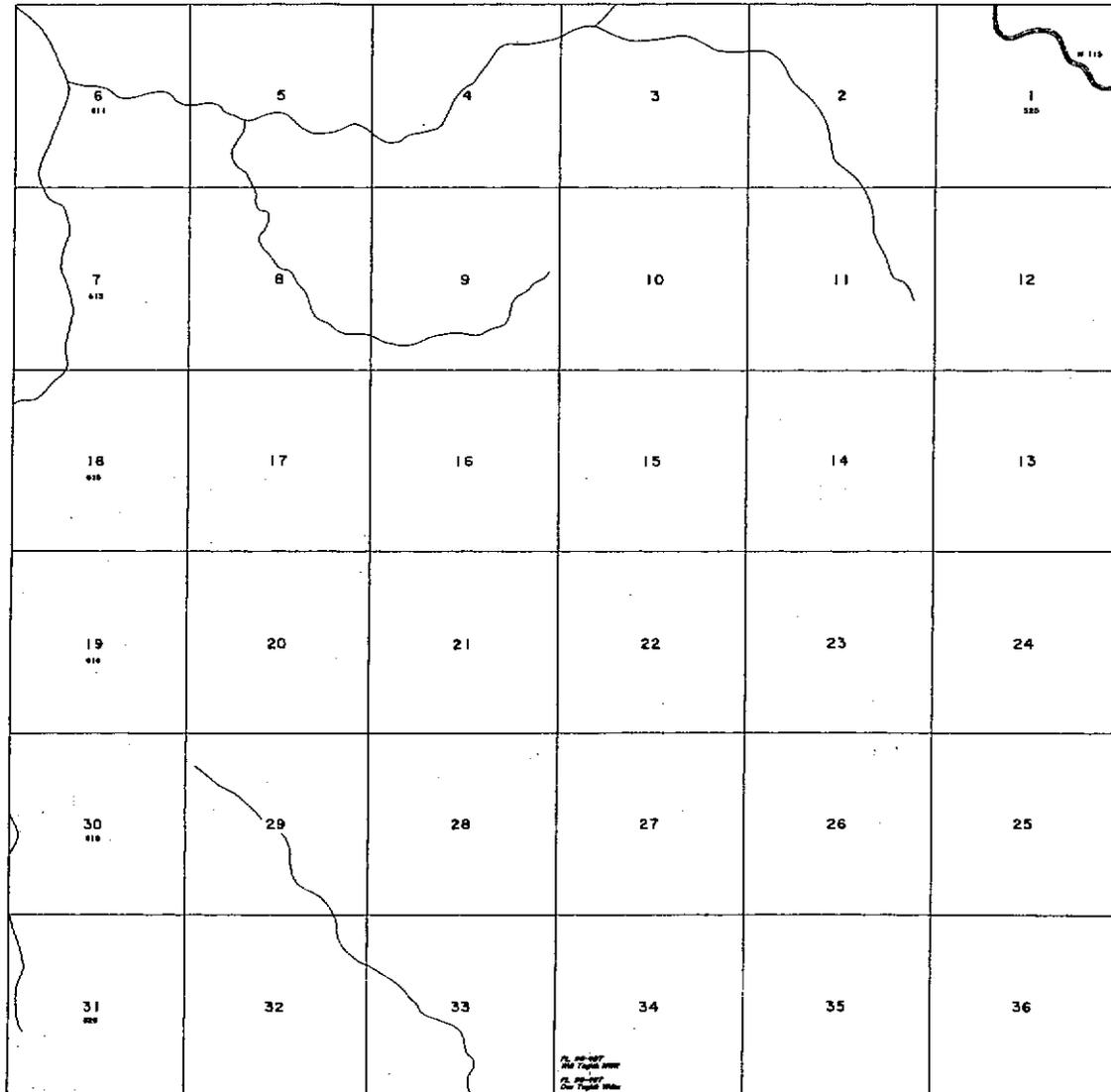
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

INDEX TO SEGREGATED TRACTS				
RESURVEY	ORIGINAL SURVEY			
	TRACT NO.	T	R	SUBDIVISION

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION MINERAL, WATER AND/OR OTHER PUBLIC PURPOSES REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

P.L.O. 9179 3/16/1972 NW 1/4 AM of Lot 6666 T6



PL 66-107
PL 66-108
PL 66-109
PL 66-110

Lot 59°56'24.881"N
Long 160°24'53.092"W



WARNING
THIS PLAT IS THE BUREAU'S RECORD OF TITLE AND SHOULD BE USED ONLY AS A GRAPHIC DISPLAY OF TOWNSHIP SURVEY DATA. RECORDS HEREON DO NOT REFLECT TITLE CHANGES WHICH MAY HAVE BEEN EFFECTED BY LATERAL MOVEMENTS OF RIVERS OR OTHER BODIES OF WATER. REFER TO THE CADASTRAL SURVEY FOR OFFICIAL SURVEY INFORMATION.

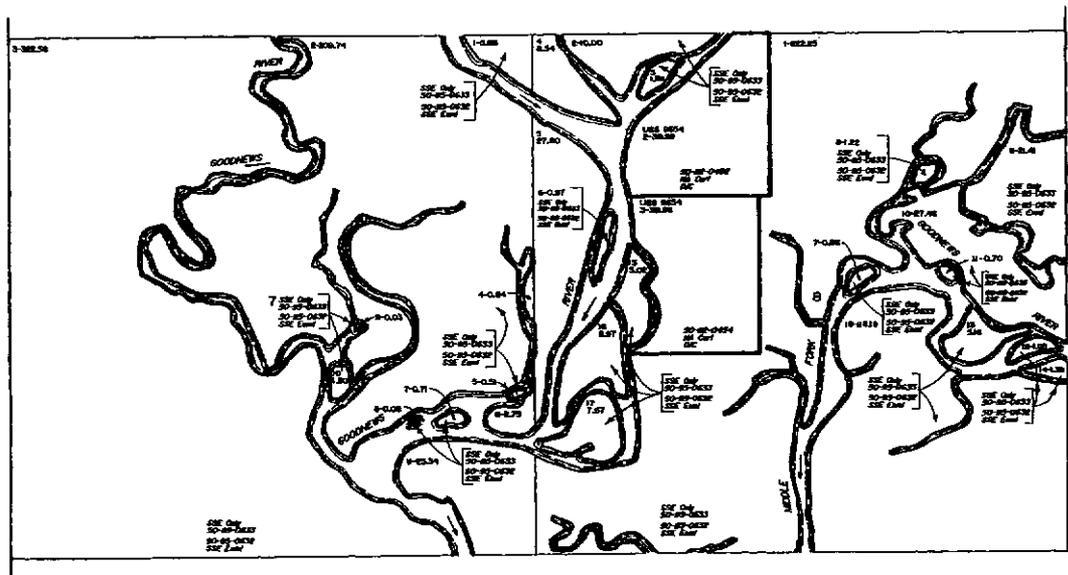
JAN 29 1960

CURRENT TO	F.B.W.S. B.H.	T	66 S
		R	66 W
		SM	



66 S 66 W

SURVEYED TOWNSHIP 12 SOUTH RANGE 72 WEST OF THE SEWARD MERIDIAN, ALASKA



STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

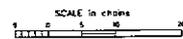
MTP
SUPPL SECS 7 & 8

NO 1

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PL 92-201 W/ F14862, L/ F14862-A, F14862-A2

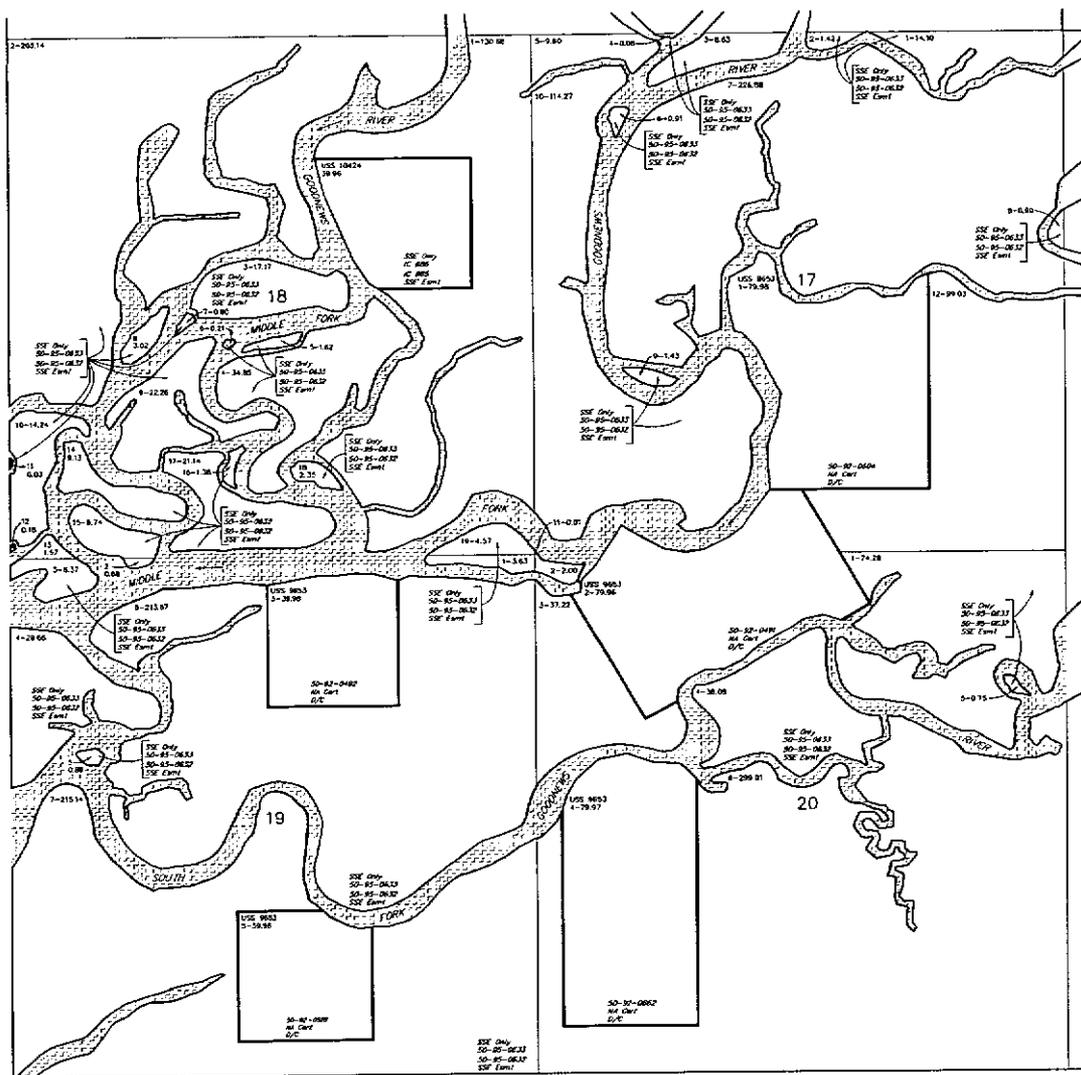
FLO 3184 W/ 2 affects L/interests not conveyed.



WARNING:
This map is the official record of title and should be used
only as a graphic display of the land survey data. It
should not be used to determine the exact location of
land parcels or other interests in land or other matters of record.
Refer to the conveyance records for official survey information.

CURRENT TO	NO 1
3-9-2007	See Map
	T 12 S
	R 72 W

SURVEYED TOWNSHIP 12 SOUTH RANGE 72 WEST OF THE SEWARD MERIDIAN, ALASKA



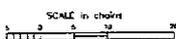
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

**MTP
SUPPL SECS 17-20**

NO 2
FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PL 92-203 AND TABLES LOS W/3 TABLE-2, TABLE-A2

PLD 5184 MAY 02 affects LOS/Interests not conveyed



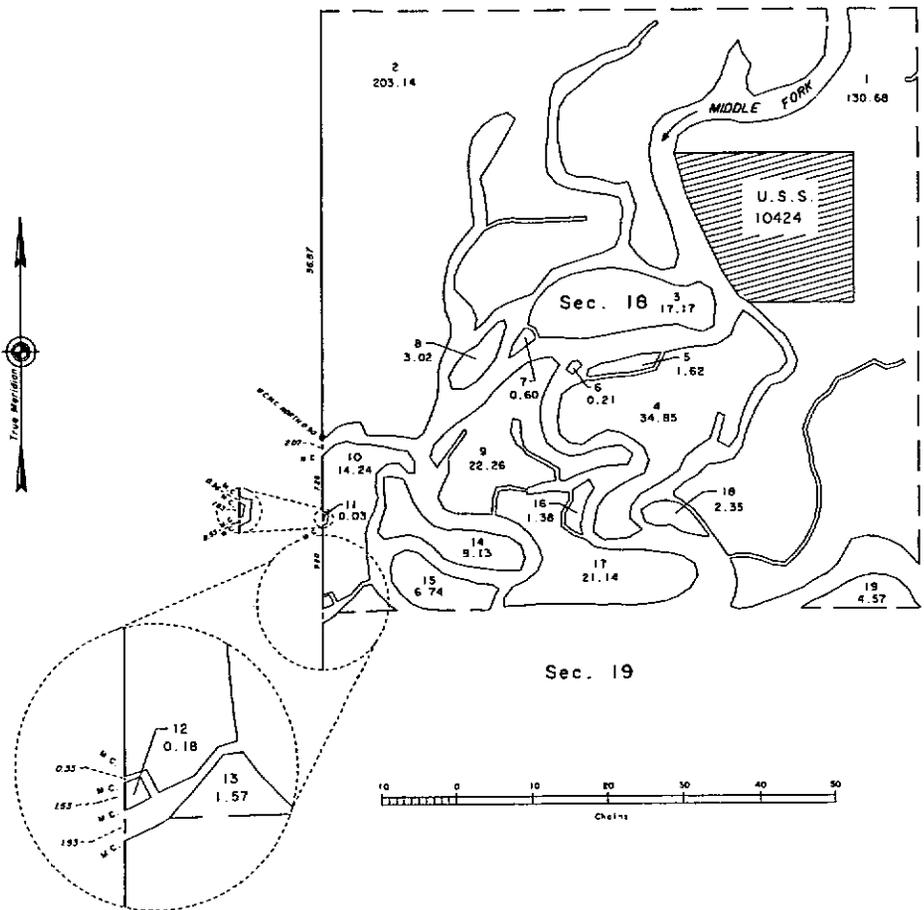
WARNING:
This map is the Surveyor's Record of this, and should be used
only as a graphic device of the Surveyor's data. No
claim is made or will be made that the map has been
checked by actual measurement of lines or other modes of measurement.
None to the contrary herein for official survey information.

CURRENT TO	NO 2
3-9-2007	See Map
	T 12 S
	R 72 W

ACAD

TOWNSHIP 12 SOUTH, RANGE 72 WEST, OF SEWARD MERIDIAN, ALASKA

ENLARGED DIAGRAM



REFERENCE SHOULD BE MADE
TO
SHEET NO. 1
FOR SURVEY INFORMATION

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Anchorage, Alaska

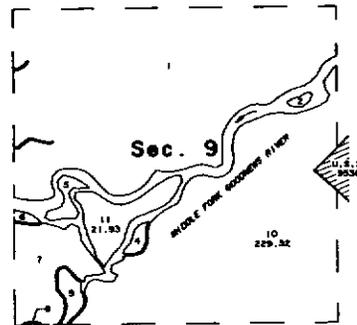
This plat is strictly conformable to the approved field notes, and the survey, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

For the Director
Must C. Davis April 29, 1994
Deputy State Director for Cadastral Survey,
Alaska

PLAT SHEET: S 20-14
T. 12S, R. 72W, S 4
CADDRENS A-7

TOWNSHIP 12 SOUTH, RANGE 72 WEST, OF THE SEWARD MERIDIAN, ALASKA
SUPPLEMENTAL PLAT

This supplemental plat of section 9, Township 12 South, Range 72 West, Seward Meridian, Alaska, revises the lottings by creating Lot 10 containing 229.32 acres and Lot 11 containing 21.93 acres to eliminate and replace duplicated Lot 3. These revisions are based upon the official survey records, and the plat of Township 12 South, Range 72 West, Seward Meridian, Alaska, accepted April 29, 1994. Except as indicated hereon, the lottings and areas are as shown on the plat of Township 12 South, Range 72 West, Seward Meridian, Alaska, accepted April 29, 1994.



Acceptance of this survey does not purport to transfer any interest in submerged lands to which the State of Alaska is entitled under the Equal Footing Doctrine and Section 6(a) of the Alaska Statehood Act, P.L. 85-508, notwithstanding the use, location, or absence of meander lines to depict water bodies.

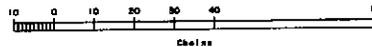
UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Anchorage, Alaska

This supplemental plat is based upon the official records and, having been correctly prepared in accordance with the regulations of this Bureau, is hereby accepted.

For the Director

Stephen O. Hannish Oct 14, 2003
(Acting) Date

Deputy State Director for Cadastral Survey,
Alaska



ms

SURVEYED TOWNSHIP 11 SOUTH RANGE 72 WEST OF THE SEWARD MERIDIAN, ALASKA

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

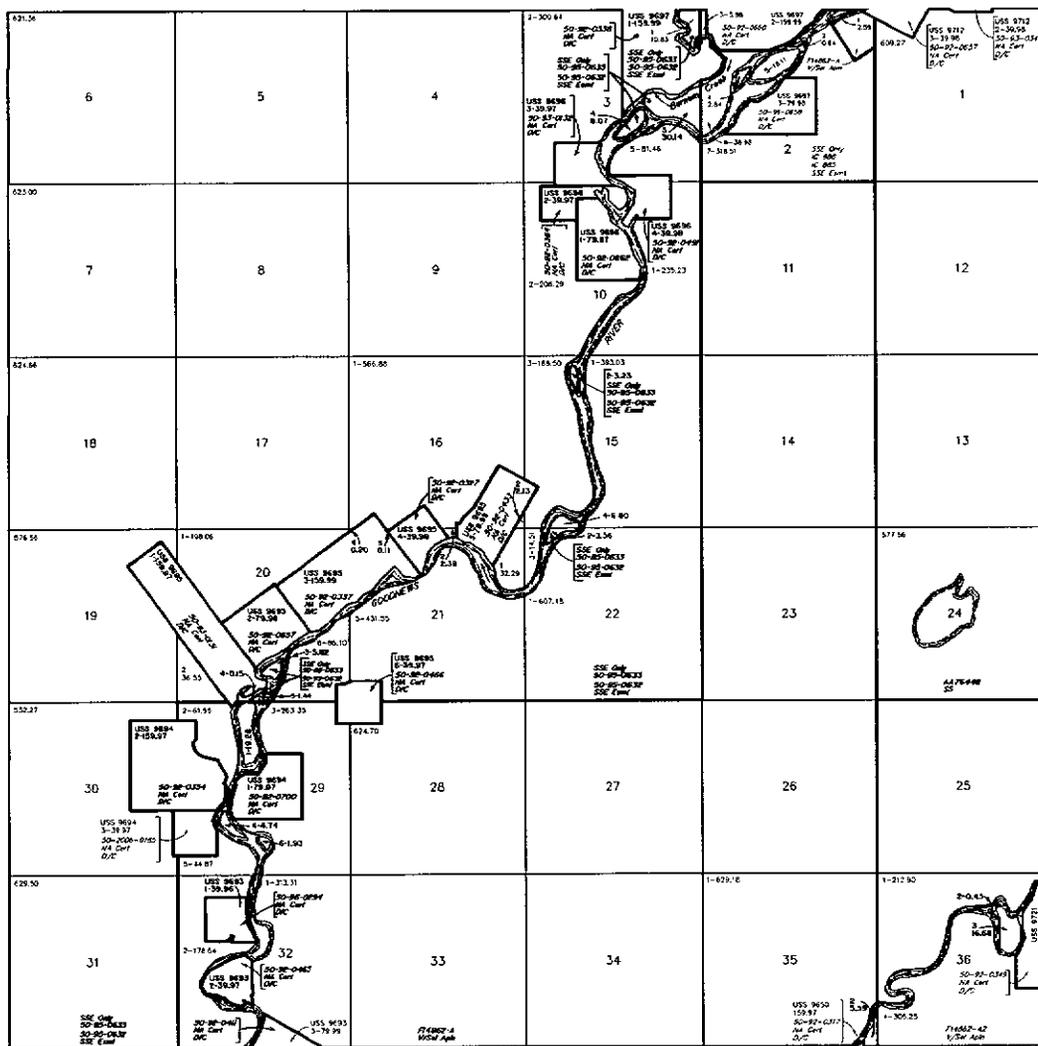
MTP

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

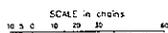
PL 92-203 AND TABLES, LOS W/A F14862-A, F14862-A2

PL 92-509 AND CI affects LSH/Interests not conveyed

AA70448 55 Amst PL 96-487 Sec 906(c), Top Filed



Lot 5610'24.71"
Long 16118'54.85" W



WARNING:
This is the Bureau's Record of Title, and should be used
only as a guide. It is the Township Survey Data. Rec-
ords herein do not reflect title changes which may have been
effected by actual monuments of record or other books of title
prior to the latest survey for official survey information.

CURRENT TO	Sew Mer
5-21-2006	T 11 S R 72 W

PV

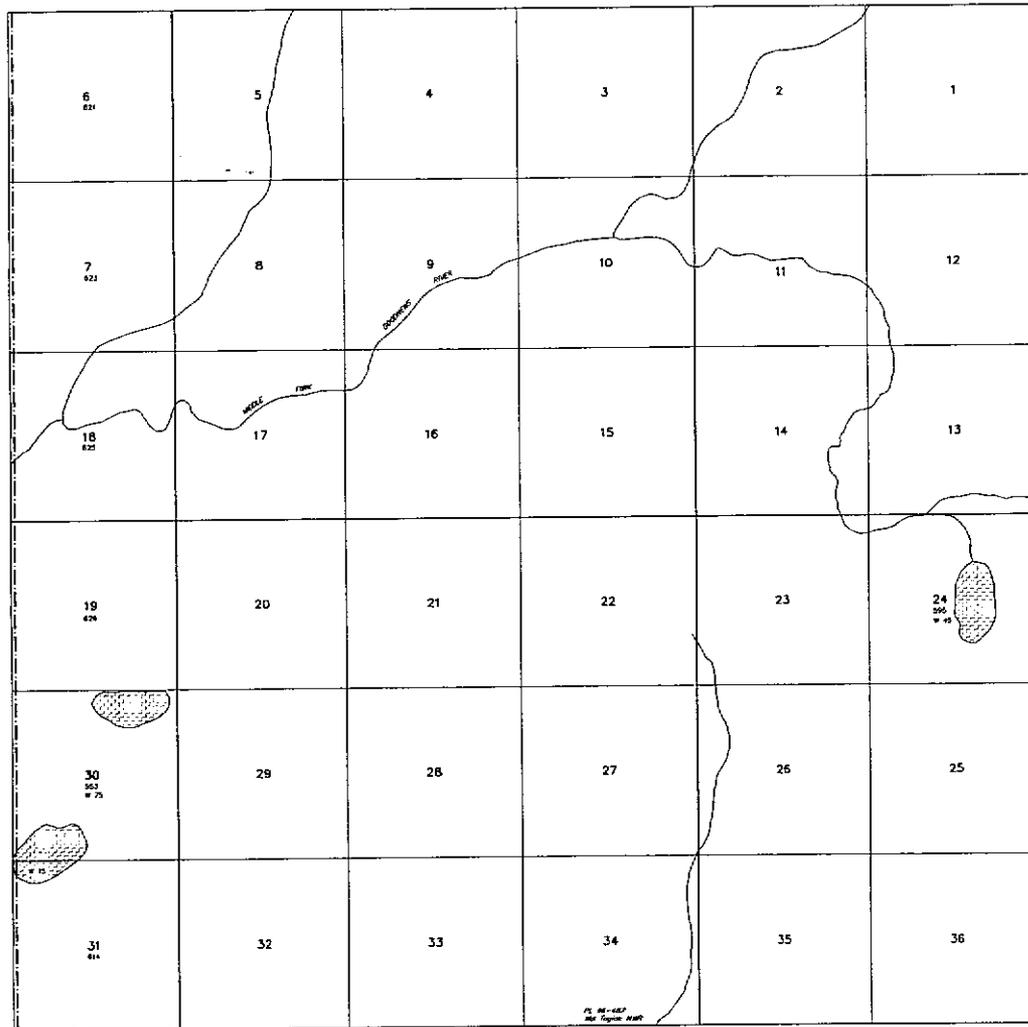
UNSURVEYED TOWNSHIP 11 SOUTH RANGE 70 WEST OF THE SEWARD MERIDIAN, ALASKA
 PROTRACTION DIAGRAM NO. 520-14 OFFICIALLY FILED 1/27/1960

STATUS OF PUBLIC DOMAIN
 LAND AND MINERAL TITLES

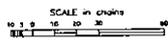
MTP

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
 IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION
 MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
 REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

P.L.O. 5179 and Act of Leg. & C. affects Lands/Interests
not conveyed



Lat 59°10'54.706"N
 Long 160°58'42.016"W



WARNING:
 This plat is the Bureau's Record of Title, and should be read
 only as a general history of the land. It is not a deed.
 The Bureau is not responsible for errors or omissions in the
 information shown hereon, and it is not to be used as a
 basis for any claim or other legal action. Refer to the
 original survey for full and complete information.

CURRENT TO
7-28-2009

Sec Mer
 T 11 S
 R 70 W
 ACAD

UNSURVEYED TOWNSHIP 10 SOUTH RANGE 70 WEST OF THE SEWARD MERIDIAN, ALASKA

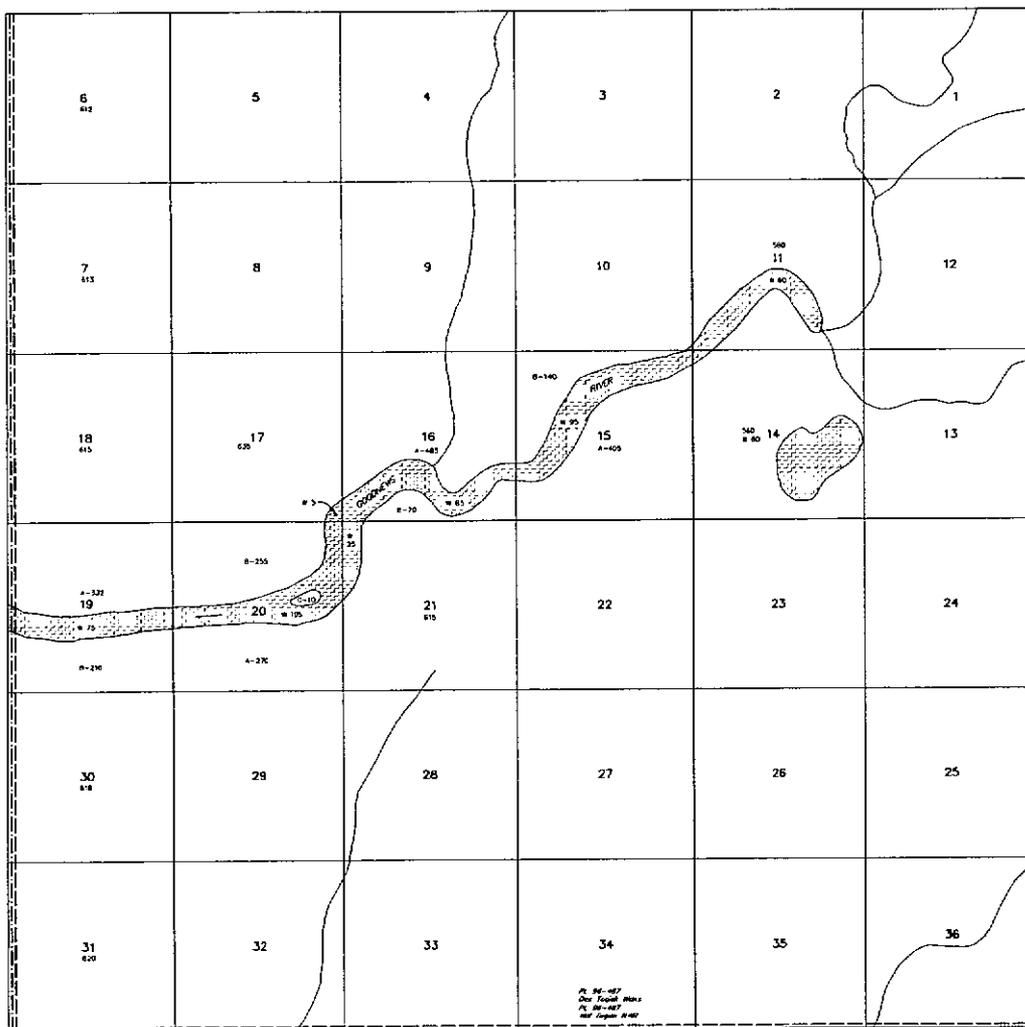
PROTRACTION DIAGRAM NO. 520-14 OFFICIALLY FILED 1/27/1950

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

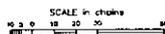
FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
DEVELOPED LANDS IN PROGRAM FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PLG 5175 REF. Act of Leg. & Ct affects Lds/Minerals
not conveyed



PL 26-47
Act Total Min
PL 28-47
Act Total Min

Lat 59°15'36.751"N
Long 166°56'43.016"W



WARNING:
This part of the Survey's Report of Title, and should be used
only in a general, advisory capacity. It does not constitute
a warranty of title or a guarantee of accuracy. It may be
affected by future amendments of laws or other orders. It may
refer to the original source for further information.

CURRENT TO	See Mer
7-28-2008	7-10-S
	R-70-W

ACAD

UNSURVEYED TOWNSHIP 10 SOUTH, RANGE 69 WEST OF THE SEWARD MERIDIAN, ALASKA

PROTRACTION DIAGRAM NO 520-14 OFFICIALLY FILED 1/27/1960

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

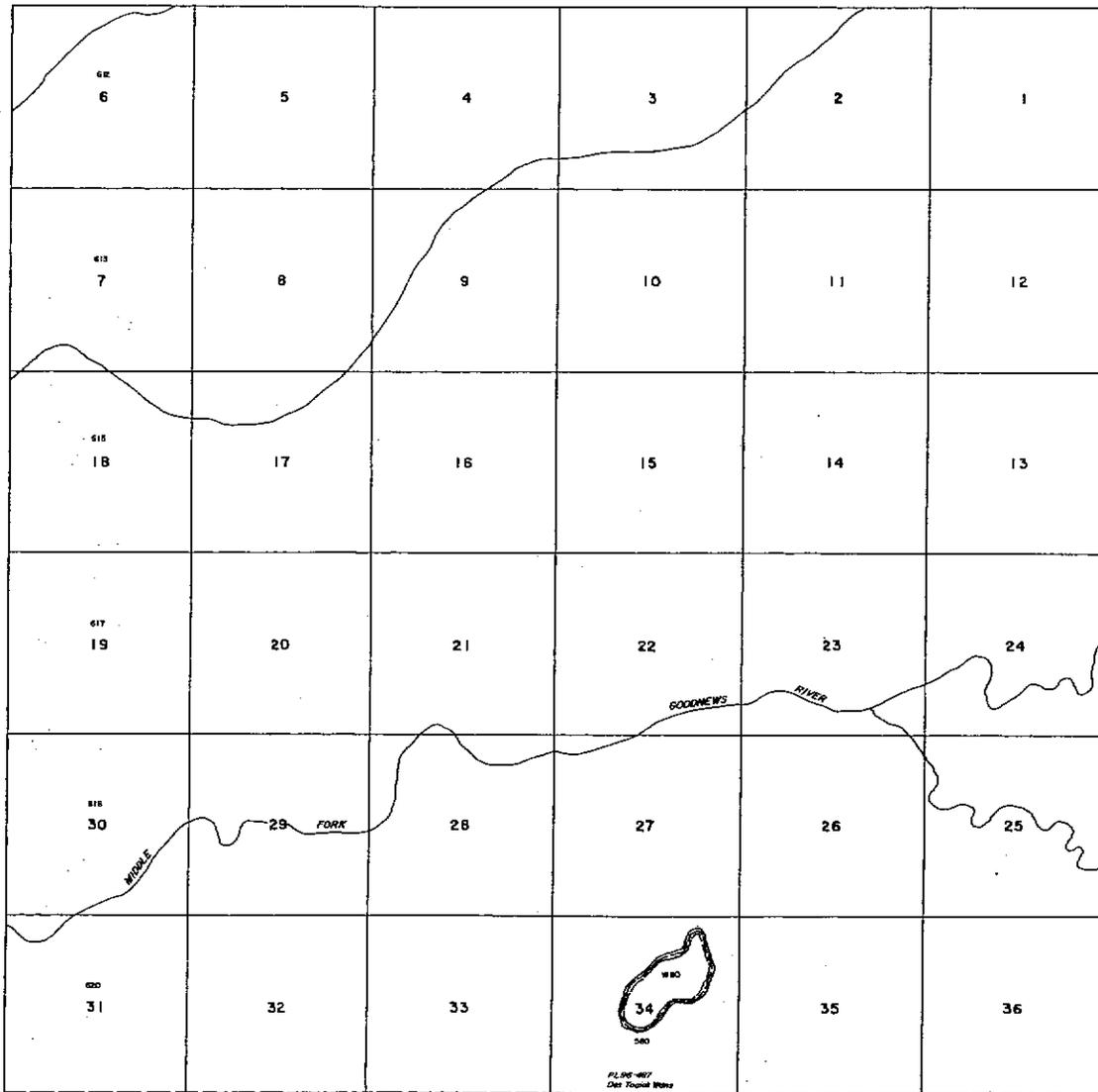
INDEX TO SEGREGATED TRACTS

RESURVEY	ORIGINAL SURVEY				
	TRACT NO	T	R	SEC	SUBDIVISION

FOR BOOKS EFFECTING DISPOSAL OR USE OF UN-IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION MINERALS WATER AND/OR OTHER PUBLIC PURPOSES REFER TO INDEX OF MISCELLANEOUS DOCUMENTS

PL.05179 3/16/1972 With CI Aid of Log entire Tp

PL.05487 12/2/1980 With Topographic MNR entire Tp



L. 580
580

PL.05487
Dist. Topog. MNR

Lot 59 15 36.751" N
Long 160° 48' 35.699" W



WARNING: THIS PLAT IS THE BUREAU'S RECORD OF TITLE AND SHOULD BE USED ONLY AS A GRAPHIC DISPLAY OF TOWNSHIP SURVEY DATA. RECORDS HEREON DO NOT REFLECT TITLE CHANGES WHICH MAY HAVE BEEN EFFECTED BY LATERAL MOVEMENTS OF RIVERS OR OTHER BODIES OF WATER. REFER TO THE CADASTRAL SURVEY FOR OFFICIAL SURVEY INFORMATION.

200 0 0 000

CURRENT TO	FBWS, BHL	T	60S
		R	69W
			58



106 594 871

UNSURVEYED TOWNSHIP 9 SOUTH, RANGE 67 WEST OF THE
PROTRACTION DIAGRAM S20-13 OFFICIALLY FILED 1/27/1960

SEWARD

MERIDIAN, ALASKA

R 67W R 66W

Lat 59°26'00.824"N
Long 160°28'23.061"W

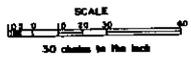
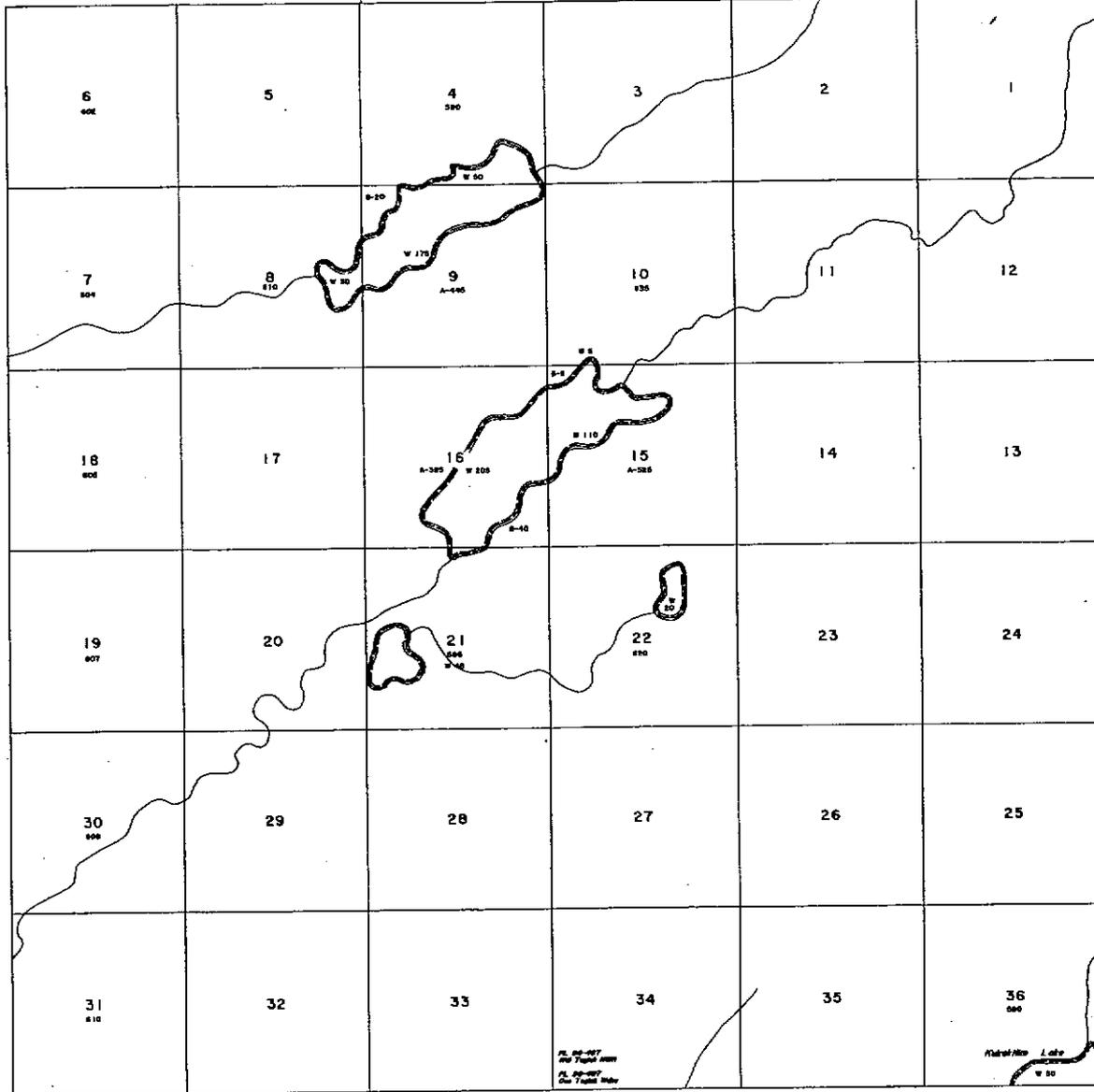
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

INDEX TO SEGREGATED TRACTS				
RESURVEY	ORIGINAL SURVEY			
TRACT NO.	T	R	SEC	SUBDIVISION

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION
MINERALS WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

P.L.O. 5179 3/16/1972 W&M G. AM of Log 6684v. 7p



WARNING
THIS PLAT IS THE BUREAU'S RECORD OF TITLE AND SHOULD BE USED
ONLY AS A GRAPHIC DISPLAY OF TOWNSHIP SURVEY DATA. RECORDS
HEREON DO NOT REFLECT TITLE CHANGES WHICH MAY HAVE BEEN
EFFECTED BY LATERAL MOVEMENTS OF RIVERS OR OTHER BODIES
OF WATER. REFER TO THE CADASTRAL SURVEY FOR OFFICIAL SURVEY
INFORMATION.

CURRENT TO	FBWS, BHL	T	9 S
8-17-1999		R	67 W
			SM

SURVEYED TOWNSHIP 12 SOUTH RANGE 72 WEST OF THE SEWARD MERIDIAN, ALASKA

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

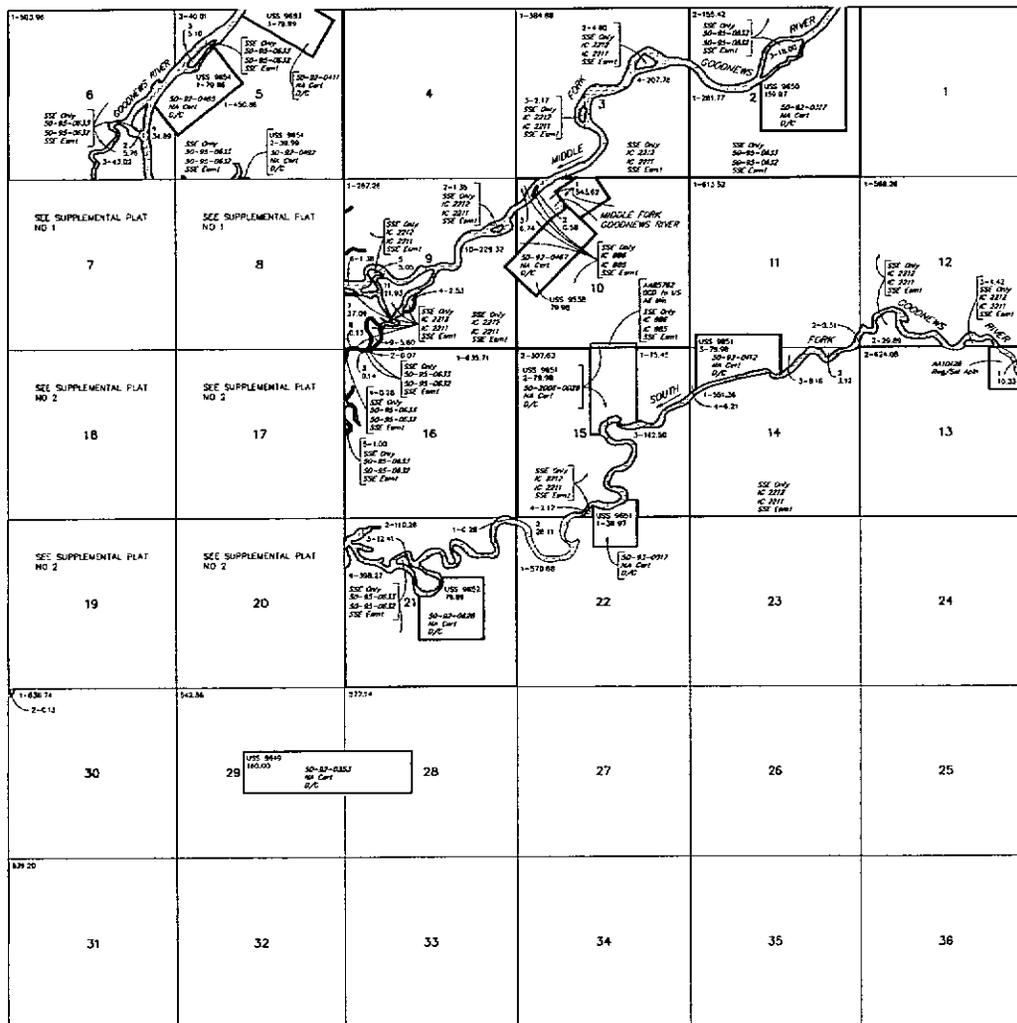
MTP

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
RECOVERED LANDS WITHIN RANGE FOR CLASSIFICATION,
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PL 92-703 AND F14862, LSA W/A F14862-A, F14862-A2

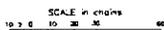
PLD 5184 AND CI affects Lds/Interests not conveyed

1476442 SS Amend PL 92-487 Sec 3006(a) Top Flats



South
Fork

Lat 59°05'12.65"N
Long 161°18'54.62"W

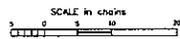
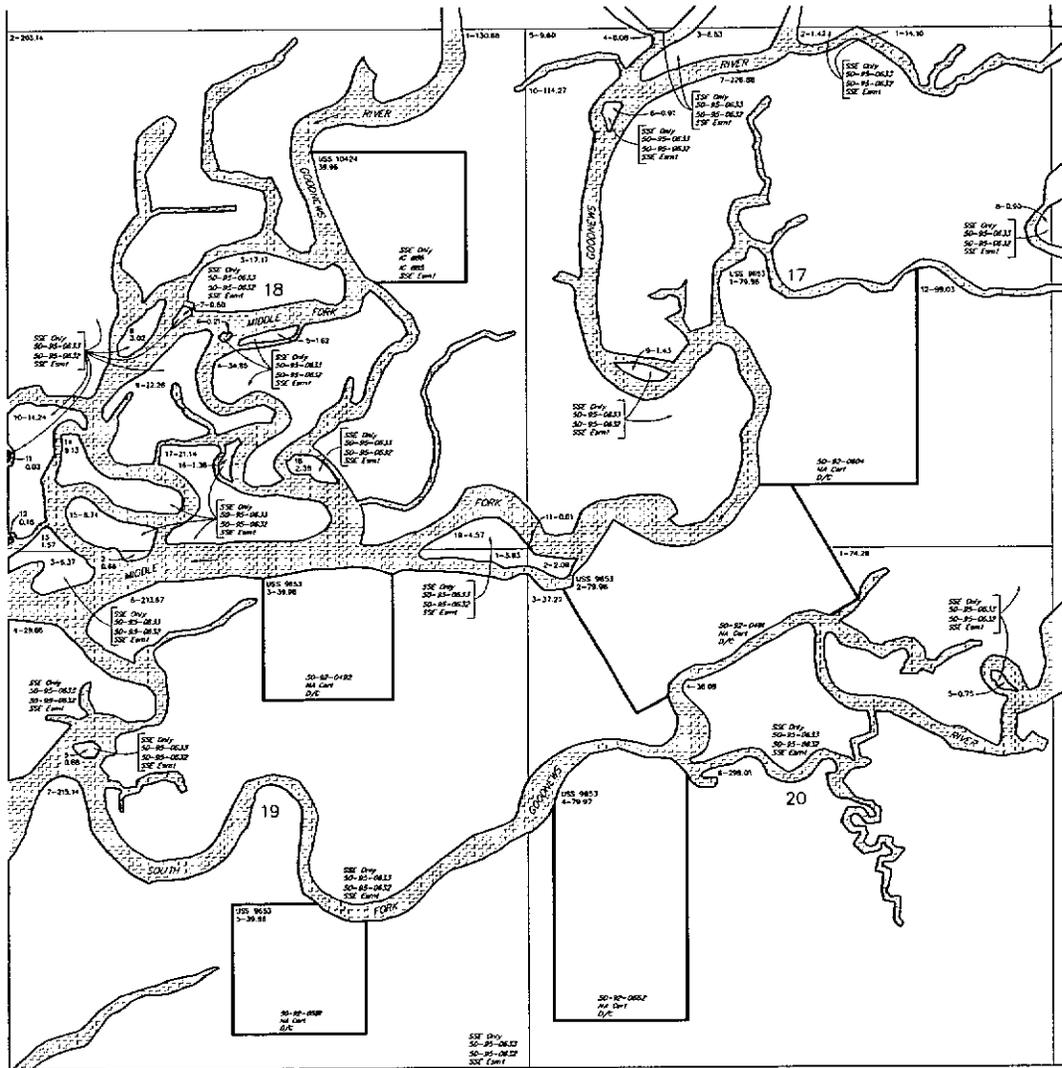


NOTICE:
This plat is the Bureau's release of data, and should be used
only as a general reference of the location of the land. It
does not constitute a warranty of title, and should not be used
to determine the exact location of the land. It is subject to
change by future operations of the Bureau of Land Management.
Refer to the index of maps for official survey information.

DATE	BY	REVISION
7-23-2009		

See Mer
T 12 S
R 72 W
ACAD

SURVEYED TOWNSHIP 12 SOUTH RANGE 72 WEST OF THE SEWARD MERIDIAN, ALASKA



WARNING:
This plan is the Surveyor's Record of this and should be used only as a graphic display of the township survey data. It is not to be used for any other purpose, and it is not to be used to establish boundaries of other lands or other claims of water. Refer to the contract of survey for official survey information.

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

**MTP
SUPPL SECS 17-20**

NO 2

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-IDENTIFIED LANDS WITHIN FOR CLASSIFICATION MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

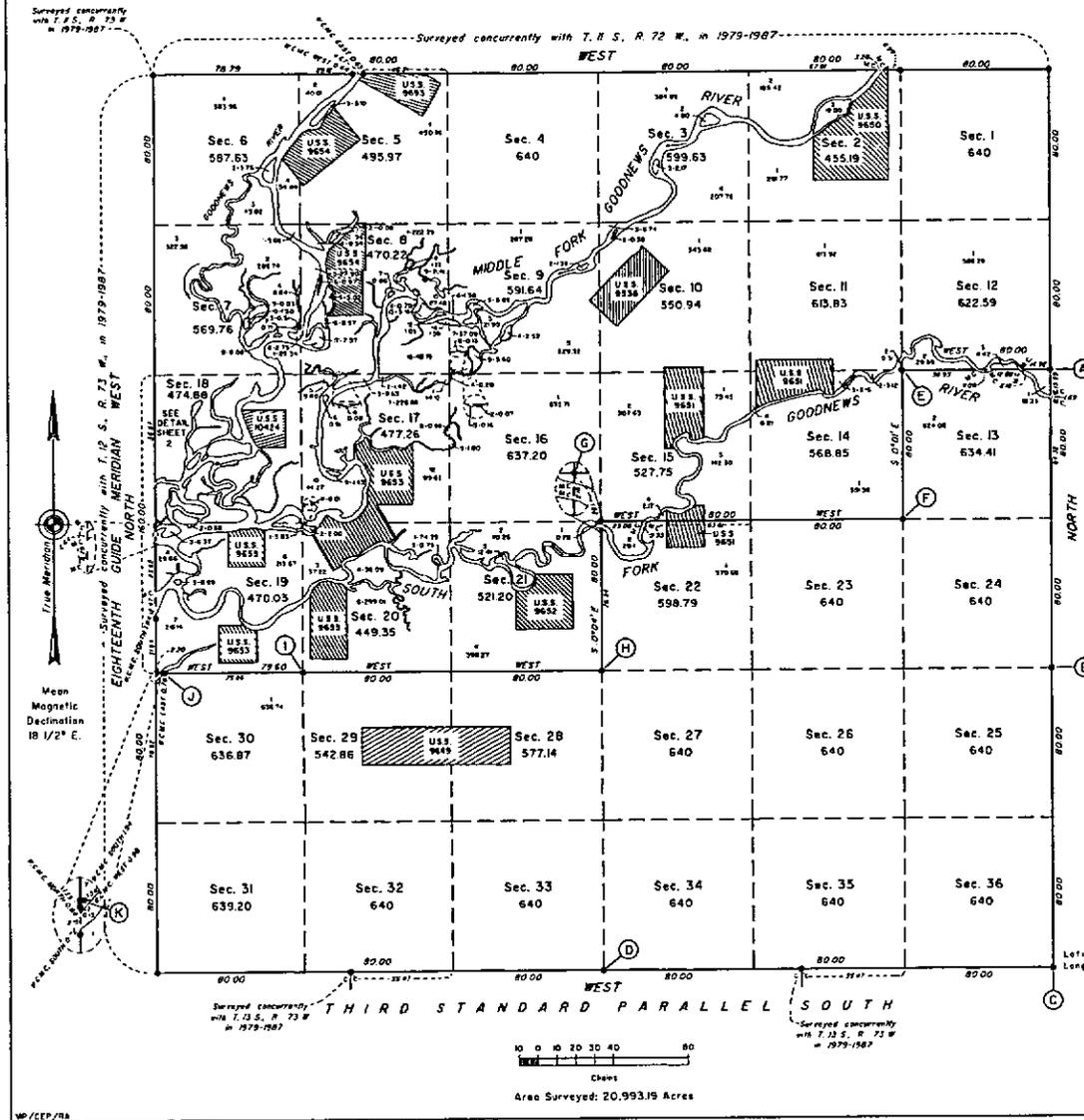
PL 92-203 AND F14062, (Ch W/1 F14062-A, F14062-A2)

FLO 5184 AND CI affects Ldb/Interests not conveyed.

CURRENT TO	NO 2
3-9-2007	See Mer
	T 12 S
	R 72 W

ACAD

TOWNSHIP 12 SOUTH, RANGE 72 WEST, OF THE SEWARD MERIDIAN, ALASKA



This plat and the field notes of the survey monumentation provide the entire survey record.

This plat represents the survey of the Third Standard Parallel South along the south boundary of Township 12 South through Range 72 West, the east boundary, a portion of the subdivisional lines, and the meanders of Township 12 South, Range 72 West, Seward Meridian, Alaska. A portion of the subdivisional lines of the township were surveyed by protraction as shown on this plat.

U.S. Survey Nos. 9538, 9649, 9650, 9651, 9652, 9653, 9654, and 9691 were surveyed under contract by Paul R. For, Registered Alaska Land Surveyor No. 15-3745, in 1960 and accepted subsequent to this survey and are depicted on this plat based upon the original records.

U.S. Survey No. 10424 was surveyed under contract by Michael H. Schober, Registered Alaska Land Surveyor No. 15-5364, in 1989 and accepted subsequent to this survey and are depicted on this plat based upon the original records.

This survey was executed by Timothy A. Kent and Carl B. Lyon, Cadastral Surveyors, September 5, 1979, through September 26, 1981, in accordance with the specifications set forth in the Manual of Surveying Instructions, 1973, Special Instructions for Group No. 194, Alaska, dated September 28, 1978, approved May 9, 1979, and Assignment Instructions dated August 22, 1979, and June 30, 1980.

Corner positions of this survey were determined by Airborne Control Survey and Auto-Survey methods, utilizing control stations established by the U.S. Coast and Geodetic Survey, the U.S. Army Corps of Engineers, and Bureau of Land Management. Monuments were set at protracted corner positions based upon the official Bureau of Land Management protraction diagrams.

The mean magnetic declination shown on this plat was obtained from U.S. Geological Survey quadrangle map "GOODNEWS (A-7)," Alaska, 1954 edition, with minor revisions in 1973.

The hydrography shown on this plat identifies the meanders along the ordinary high water line of water bodies segregated from the land area. The meanders are photogrammetrically interpreted and digitized from color infrared and black and white orthophotography flown in August 1983 by the National Aeronautics and Space Administration. The digital meander line data pictorially represent the meanders used to calculate the areas shown on this plat.

The aluminum triangular markers referred to in the field notes of the survey monumentation are 15 inches long on each side, with fluorescent orange plastic coating attached to 3/4-inch-diameter aluminum rods.

Acceptance of this survey does not purport to transfer map interest in submerged lands to which the State of Alaska is entitled under the Equal Footing Doctrine and Section 8(a) of the Alaska Statehood Act, P.L. 85-508, notwithstanding the use, location, or absence of meander lines to depict water bodies.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Anchorage, Alaska

This plat is strictly conformable to the approved field notes, and the survey, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

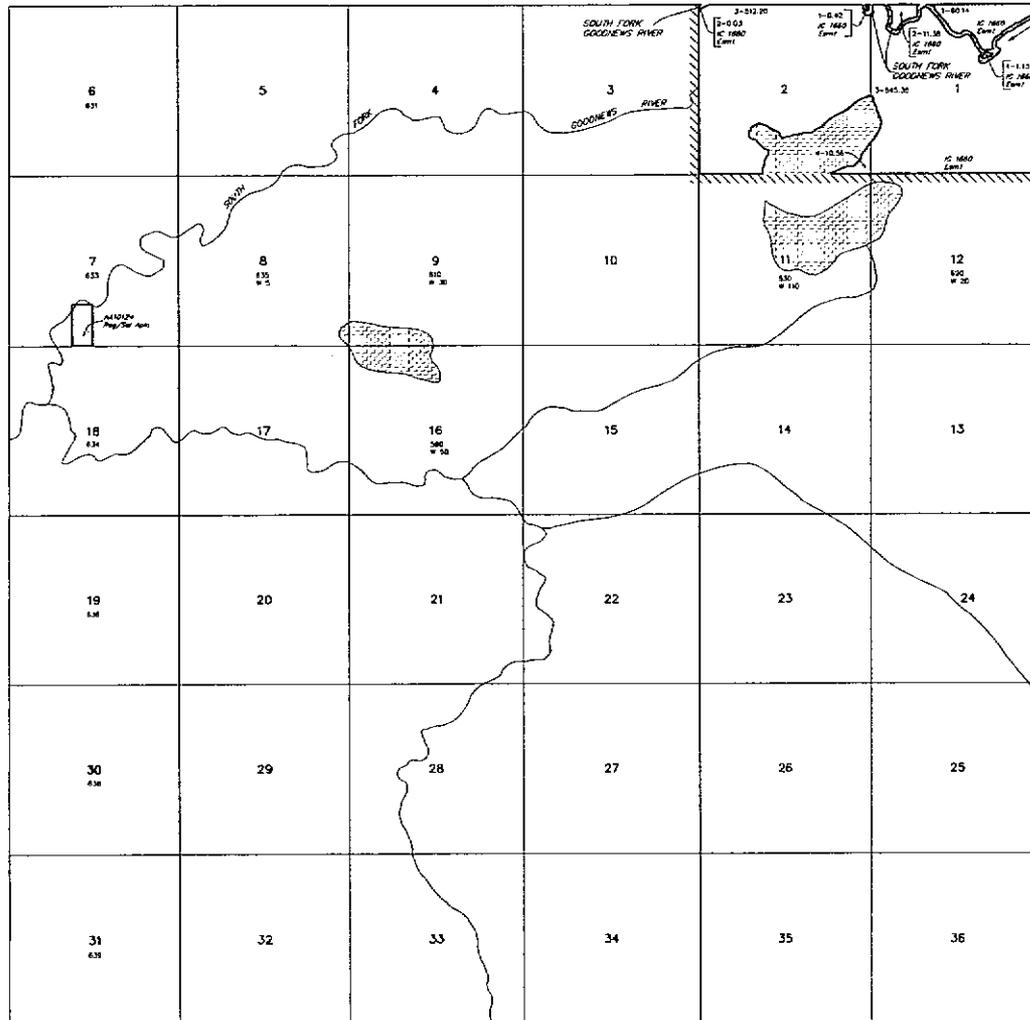
For the Director
Must C. Jones April 29, 1994
Date
Deputy State Director for Cadastral Survey,
Alaska

Latitude 59°05'12.64" N
Longitude 161°18'34.86" W
(1983)

Plot SHEET: 530-14
T. 12 S., R. 72 W., 5M
GOODNEWS A-7

PARTIALLY SURVEYED TOWNSHIP 12 SOUTH RANGE 71 WEST OF THE SEWARD MERIDIAN, ALASKA

PROTRACTION DIAGRAM NO. S20-14 OFFICIALLY FILED 1/27/1950



Lat 59°02'24.717"N
Long 161°08'48.34"W

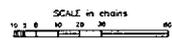
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

FIG. 5184 MAP D affects Lds/Interests not conveyed

Lat 59°05'12.665"N
Long 161°08'48.337"W



NOTICE:
Buyer must be that Bureau's Record of Title, and should be able
only on a general basis of the location survey map. This
map should be not subject to change when they have been
affected by lateral movements of rivers or other bodies of water
Refer to the cadastral survey for official survey information.

CURRENT ID	State Map
11-3-2008	T 12 S R 71 W

ACAD

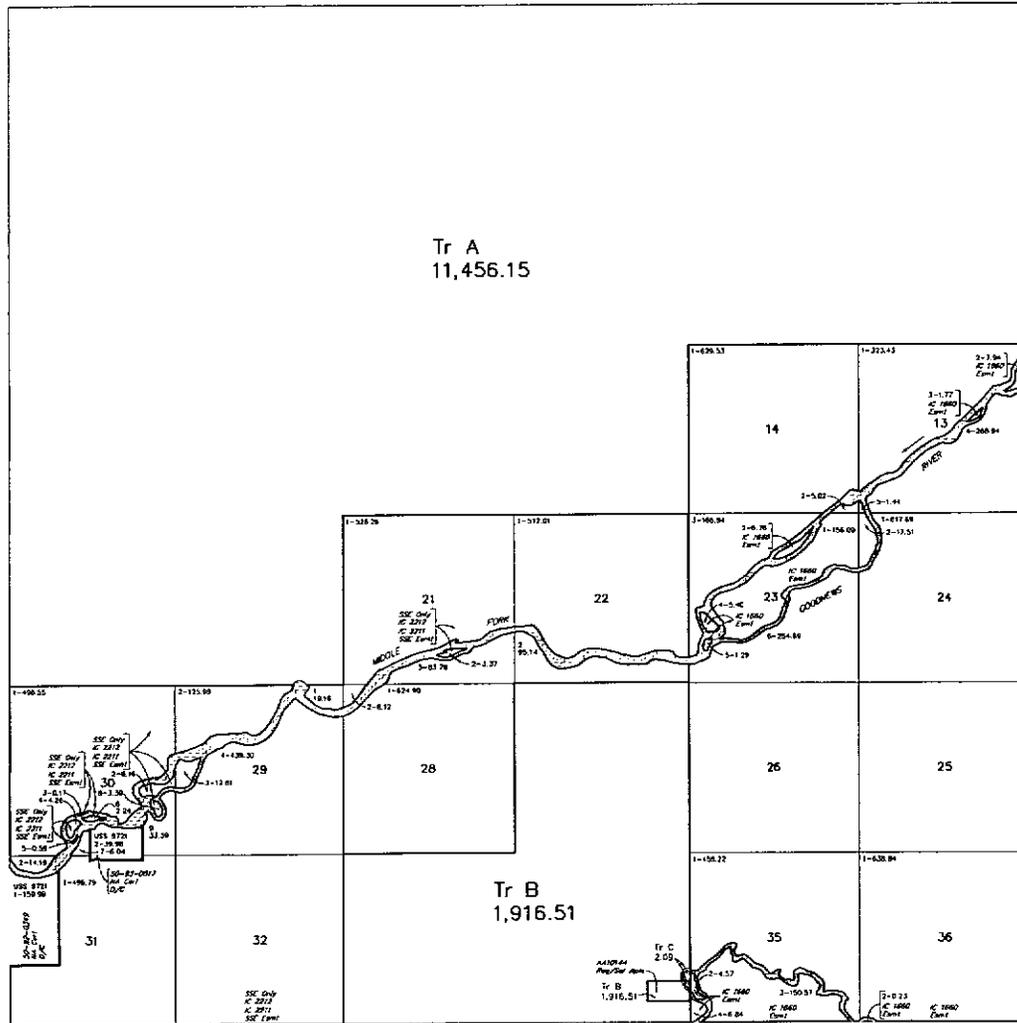
SURVEYED TOWNSHIP 11 SOUTH RANGE 71 WEST OF THE SEWARD MERIDIAN, ALASKA

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

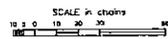
MTP

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHIN OR FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

FIG. 5184 AND C' affects Lands/Interests not surveyed.



Lat 59°02'4.706"N
Long 161°06'48.377"W



NOTICE:
This plat is the Bureau's Record of this, and should be used
only as a general guide of the location of the survey. It
does not constitute a deed or other conveyance, and should
not be used to establish title or other claims, which may have been
affected by later conveyances of record or other means of title.
Refer to the necessary surveys for official survey information.

CURRENT TO	See Mor
7-23-2009	T 11 S R 71 W

ACAD

UNSURVEYED TOWNSHIP 11 SOUTH RANGE 70 WEST OF THE SEWARD MERIDIAN, ALASKA

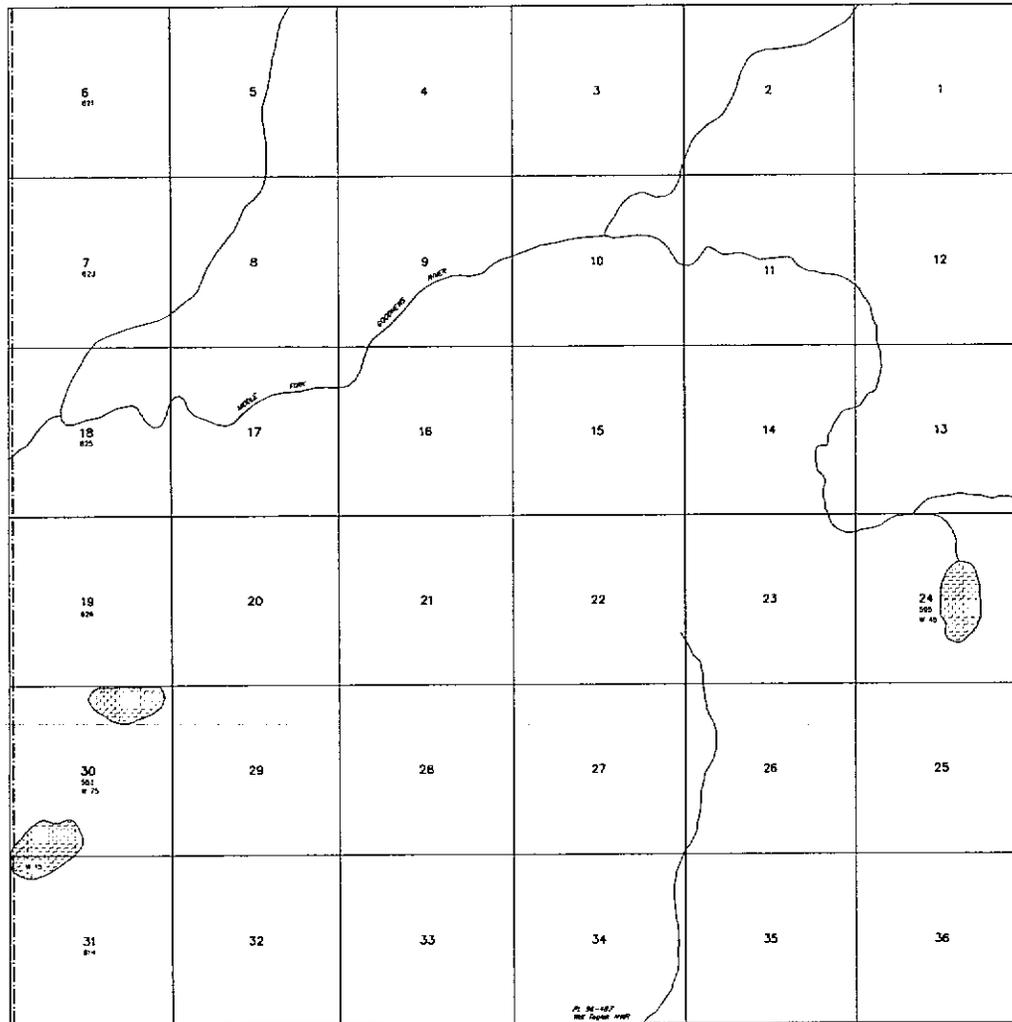
PROJECTION DIAGRAM NO. S20-14 OFFICIALLY FILED 1/27/1960

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

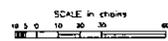
MTP

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHIN TOWN FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS

P.L.O. 5178 and Act of Leg. & C. affects Leds/Interests
not conveyed



Lat 59°10'24.708"N
Long 150°58'42.316"W



NOTES:
This plan is the Bureau's Record of P.L.O. and should be used
only as a general check of the location and area. It
does not reflect title changes which may have been
effected by federal instruments of land or other public acts.
Refer to the cadastral survey for further survey information.

CURRENT TO	See Map
7-28-2008	T 11 S
	R 70 W

ACAD

UNSURVEYED TOWNSHIP 10 SOUTH RANGE 70 WEST OF THE SEWARD MERIDIAN, ALASKA

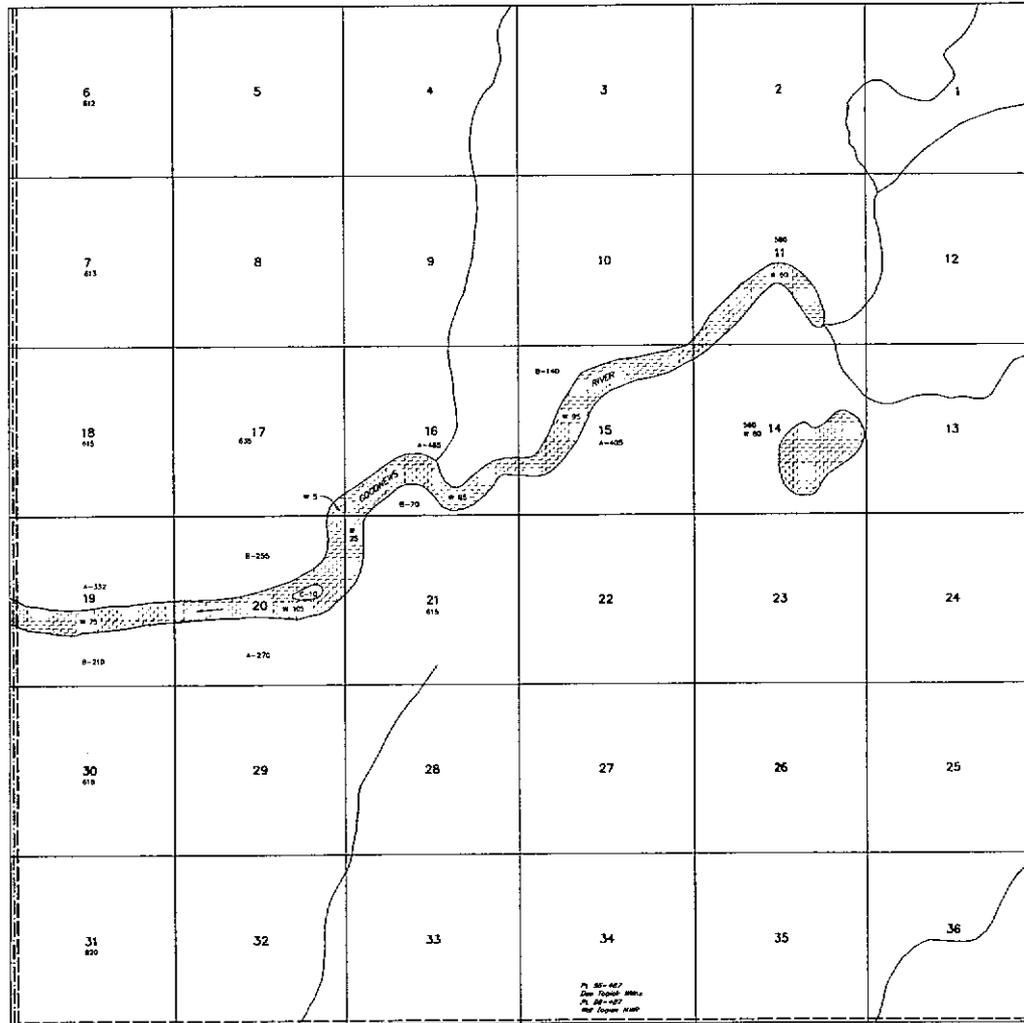
PROTRACTOR DIAGRAM NO. S20-14 OFFICIALLY FILED 1/27/1960

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

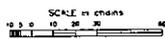
FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHIN THIS TOWNSHIP FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PLG 5170 W&A of Leg. & C affects Lands/Areas
not conveyed



PL 85-427
Date: August 1984
PL 88-427
Date: August 1984

Lat 59°15'36.7517"N
Long 160°58'42.016"W



NOTICE:
This plat is the Bureau's Record of Title, and should be used
only as a general index of the Bureau's records. It is
not intended to reflect title claims which may have been
affected by recent movements of title, or other factors of title.
Refer to the recorder's journal for official survey information.

CURRENT TO	See Mar
7-28-2009	T 10 S R 70 W

ACAD

UNSURVEYED TOWNSHIP 11 SOUTH, RANGE 69 WEST OF THE SEWARD MERIDIAN, ALASKA

PROTRACTION DIAGRAM NO S20-14 OFFICIALLY FILED 1/27/1960

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

INDEX TO SEGREGATED TRACTS				
RESURVEY	ORIGINAL SURVEY			
TRACT NO	T	R	SEC	SUBDIVISION

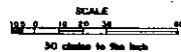
FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHIN THIS TOWNSHIP FOR CLASSIFICATION
GENERAL SURVEY AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS

PLD 5179 3/16/1978 With Ct Aid of Leg. entire Tp

PL 55-487 12/2/1960 With Topogr. NW 1/4 entire Tp



L4159°10'24.708"N
Loop 100°48'35.699"W



WARNING
THIS PLAT IS THE BUREAU'S RECORD OF TITLE AND SHOULD BE USED
ONLY AS A GRAPHIC DISPLAY OF TOWNSHIP SURVEY DATA. RECORDS
HEREIN DO NOT REFLECT TITLE CHANGES WHICH MAY HAVE BEEN
EFFECTED BY LATERAL MOVEMENTS OF RIVERS OR OTHER BODIES
OF WATER. REFER TO THE CADASTRAL SURVEY FOR OFFICIAL SURVEY
BY ORIENTATION.

JAN 09 1960

CURRENT TO	FRWS, BHL	T. 11S
		R. 69W
		SM



11S 69W SM

BUREAU OF LAND MANAGEMENT
Alaska State Office
222 West 7th Avenue, #13
Anchorage, Alaska 99513-7599

*Linda Steen
Allyson Johnson
4/15/93*

**Goodnews River System
Interim Summary Report
Attachment 28**

AA-70153 (2653)
✓ AA-70147 (2653)
(963/agj/lis)

APR 15 1993

Memorandum

To: Chief, Branch of Conveyance Coordination (961)
From: Land Law Examiner, Branch of Calista Adjudication (963)
Subject: Request for Navigability Recommendations

Calista Corporation has selected the following described lands pursuant to Sec. 14(h)(8) of ANCSA. Please provide us with a Navigability Memorandum as soon as possible so that we may proceed with the patent. Due to economic hardship, Calista Corporation has requested immediate conveyance of these lands.

Seward Meridian (surveyed)

T. 23 N., R. 49 W.
Sec. 28.

Seward Meridian (unsurveyed)

T. 23 N., R. 50 W.
Secs. 19 to 22, inclusive;
Secs. 27 to 34, inclusive.

T. 8 S., R. 71 W.
Secs. 3 to 10, inclusive;
Secs. 18 and 19.

T. 9 S., R. 71 W.
Sec. 36.

*Per discussion w/
Ed Emland, Navigability
Section, under new procedure
this request not needed
until confirmatory patent.
Allyson Johnson, LLE
5/10/93*

T. 10 S., R. 71 W.
Secs. 1 to 4, inclusive;
Secs. 9 and 10;
Secs. 15 and 16.

T. 11 S., R. 71 W.
Secs. 13 and 14;
Secs. 23 to 26, inclusive;
Secs. 35 and 36.

T. 12 S., R. 71 W.
Secs. 1 and 2.

T. 7 S., R. 72 W.
Sec. 36.

T. 8 S., R. 72 W.
Secs. 1, 2, and 3;
Secs. 10 to 15, inclusive;
Secs. 22, 23, and 24.

Approximately 35,200 acres.

If you have any questions, please contact Allyson Johnson at ext. 5687 or Linda Suttles at ext. 3014.

/s/ Allyson Johnson

/s/ Linda L. Suttles

963*AGJ*LLS*AA-70153



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
6881 ABBOTT LOOP ROAD
ANCHORAGE, ALASKA 99507-2599

**Goodnews River System
Interim Summary Report
Attachment 29**

DEC 1 1993

AA-70147-EE (75.4)
AA-70153-EE (75.4)
AA-70147 (2653)
AA-70153 (2653)
(041)

Memorandum

To: Chief, Branch of Calista Adjudication
From: Assistant District Manager, Lands
Subject: Final Easement Recommendations for Lands to be Conveyed to Calista Corporation

Following are the [REDACTED] recommendations for lands to be conveyed to Calista Corporation pursuant to the Alaska Native Claims Settlement Act (ANCSA) Section 14(h)(8). Of the recommendations made, my decision is as follows for the land described below:

Seward Meridian

T. 23 N., R. 49 W.
Sec. 28.

T. 23 N., R. 50 W.
Secs. 19 to 22, inclusive;
Secs. 27 to 34, inclusive.

T. 8 S., R. 71 W.
Secs. 3 to 10, inclusive;
Secs. 18 and 19.

T. 9 S., R. 71 W.
Sec. 36.

T. 10 S., R. 71 W.
Secs. 1 to 4, inclusive;
Secs. 9 and 10;
Secs. 15 and 16.

T. 11 S., R. 71 W.
Secs. 13 and 14;
Secs. 23 to 26, inclusive;
Secs. 35 and 36.

T. 12 S., R. 71 W.
Secs. 1 and 2.

T. 7 S., R. 72 W.
Sec. 36.

T. 8 S., R. 72 W.
Secs. 1, 2, and 3;
Secs. 10 to 15, inclusive;
Secs. 22, 23, and 24.

Containing approximately 35,200 acres.

MAJOR WATERWAYS:

The Arolik River, the Goodnews River, the Middle Fork and South Fork of the Goodnews River are considered major waterways as they serve as transportation routes for recreationists, miners, subsistence users, and Native allotment owners.

ALLOWABLE USES:

All easements are subject to applicable Federal, State or Municipal Corporation regulation. The following is a listing of uses allowed for each type of easement identified. Any uses which are not specifically listed are prohibited.

25 Foot Trail - The uses allowed on a twenty-five (25) foot wide trail easement are: travel by foot, dogsleds, animals, snowmobiles, two- and three-wheel vehicles, and small all-terrain vehicles (ATVs) (less than 3,000 lbs. Gross Vehicle Weight (GVW)).

50 Foot Trail - The uses allowed on a fifty (50) foot wide trail easement are: travel by foot, dogsleds, animals, snowmobiles, two- and three-wheel vehicles, small and large all-terrain vehicles (ATV's), track vehicles and four-wheel drive vehicles.

EASEMENTS TO BE RESERVED:

- a. (EIN 3 C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from Sec. 31, T. 7 S., R. 71 W., Seward Meridian, southwesterly, to Sec. 10, T. 8 S., R. 72 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

This easement is subject to the State of Alaska's claimed R.S. 2477 right-of-way, if valid.

Discussion: This trail is a continuation of EIN 3 C3, C4, D1, D9 which is reserved in Interim Conveyance No. 885 to Kuitsarak, Inc., dated August 30, 1984.

- b. (EIN 3a C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from Sec. 10, T. 8 S., R. 72 ., Seward Meridian, southwesterly, to public land in Sec. 27, T. 8 S., R. 72 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to winter.

This easement is subject to the State of Alaska's claimed R.S. 2477 right-of-way, if valid.

Discussion: This trail is a continuation of EIN 3 C3, C4, D1, D9, which is reserved in Interim Conveyance No. 885 to Kuitsarak, Inc., dated August 30, 1984. Because EIN 3a C3, C4, D1, D9 crosses wet, marshy area, which is not suitable for summer travel, it is being recommended for winter use only.

- c. (EIN 3b C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from Sec. 10, T. 8 S. R. 72 W., Seward Meridian, southwesterly, to public land in Sec. 27, T. 8 S., R. 72 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to summer.

This easement is subject to the State of Alaska's claimed R.S. 2477 right-of-way, if valid.

Discussion: This trail is a continuation of EIN 3 C3, C4, D1, D9, which is reserved in Interim Conveyance No. 885 to Kuitsarak, Inc., dated August 30, 1984. Because EIN 3b C3, C4, D1, D9 crosses higher ground, where it is too windy in winter and the snow is too deep for safe travel, it is being recommended for summer use only.

- d. (EIN 4 C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from Sec. 21, T. 10 S., R. 71 W., Seward Meridian, northeasterly, generally paralleling Slate Creek to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to winter.

This easement is subject to the State of Alaska's claimed R.S. 2477 right-of-way, if valid.

Discussion:

This trail is a continuation of EIN 4, C3, C4, D1, D9, which is reserved in Interim Conveyance No. 885 to Kuitsarak, Inc., dated August 30, 1984.

- e. (EIN 8 C3, L) An easement fifty (50) feet in width for an existing access trail from EIN 8 C3, L in Sec. 33, T. 23 N., R. 49 W., Seward Meridian, northwesterly, paralleling Grouse Creek to public land. This trail proceeds through public land and enters the selection again in Sec. 27, T. 23 N., R. 50 W., Seward Meridian, following Return Creek and continuing on to public land in Sec. 36, T. 23 N., R. 51 W., Seward Meridian. The uses allowed are those listed above for a fifty (50) foot wide trail easement.

This easement is subject to the State of Alaska's claimed R.S. 2477 right-of-way, if valid.

Discussion: This easement is a continuation of EIN 8 C3, L, which is reserved in Interim Conveyance No. 776 to The Kuskokwim Corporation, dated December 30, 1983. This trail provides continued access to public lands.

The following easements were considered but are not recommended:

- a. (EIN 6a, C4) An easement twenty-five (25) feet in width for a proposed access trail from EIN 6 C4, D9, in Sec. 22, T. 10 S., R. 71 W., Seward Meridian, northerly to EIN 4 C3, C4, D1, D9 in Sec. 16, T. 10 S., R. 71 W., Seward Meridian.

Discussion: In the Notice of Proposed Easements dated March 15, 1993, this proposed trail was recommended at twenty-five (25) feet beginning at site easement EIN 6 C4, D9, in Sec. 22, T. 10 S., R. 71 W., Seward Meridian, northerly, to connect with EIN 4 C3, C4, D1, D9 in Sec. 16, T. 10 S., R. 71 W., Seward Meridian. There was a proposal to widen this easement to fifty (50) feet. This proposed trail is duplicative of EIN 4 C3, C4, D1, D9, it is not being recommended. (EIN 6 C4, D9 has been moved from Sec. 21, T. 10 S., R. 71 W., Seward Meridian to Sec. 22, T. 10 S., R. 71 W., Seward Meridian to a more suitable location on the recommendation of the State of Alaska, Department of Natural Resources.)

- b. (EIN 20 D1) An easement fifty (50) feet in width for a proposed access trail from the confluence of Olympic and Slate Creeks in Sec. 15, T. 10 S., R. 71 W., Seward Meridian, northerly, paralleling Olympic Creek to State selected land in Sec. 34, T. 9 S., R. 71 W., Seward Meridian.

Discussion: Because this proposed access trail is duplicative of EIN 4 C3, C4, D1 D9, and is not being recommended.

- c. (EIN 21 D1) An easement fifty (50) feet in width for a proposed trail from the confluence of Cascade and Olympic Creeks in Sec. 15, T. 10 S., R. 71 W., Seward Meridian northwesterly, paralleling Cascade Creek to State selected land in Sec. 33, T. 9 S., R. 71 W., Seward Meridian.

Discussion: Because this proposed access trail is duplicative of EIN 4 C3, C4, D1, D9, and is not being recommended.

- d. (EIN 22 D1) An easement fifty (50) feet in width for an existing trail from Sec. 33, T. 7 S., R. 71 W., Seward Meridian, southerly, through the selection area to State selected land in Sec. 16, T. 8 S., R. 71 W., Seward Meridian.

This easement is subject to the State of Alaska's claimed R.S. 2477 right-of-way, if valid.

Discussion: Because this access trail is duplicative of EIN 3 C3, C4, D1, D9, it is not being recommended.

- e. (EIN 23 D1) An easement fifty (50) feet in width for a proposed trail from EIN 8 C3, L in Sec. 28, T. 23 N., R. 50 W., Seward Meridian, northerly, to state land.

Discussion: Because this proposed trail is duplicative of EIN 8 C3, L, it is not being recommended.

- f. (EIN 24 D1) An easement for an airfield of unknown length, located in Sec. 15, T. 10 S., R. 71 W., Seward Meridian.

Discussion: This proposed site easement is not recommended because this airfield does not have present significant use as required pursuant to 43 CFR 2650.4-7A(3)(v). This airstrip was privately constructed and has been used only in support of mining operations, and has not been available for public use.

- g. (EIN 25 D1) An easement for an airfield of unknown length, located in Sec. 21, T. 23 N., R. 50 W., Seward Meridian.

Discussion: This proposed site easement is not recommended because this airfield does not have present significant use as required pursuant to 43 CFR 2650.4-7A(3)(v). This airstrip was privately constructed and has been used only in support of mining operations, and has not been available for public use.

EASEMENT MAPS:

The easement maps attached reflect the current status of easements.

This notice does not cover granted rights-of-way of record.

Russell B. Howe
for Sandra Dunn

1 - Enclosure

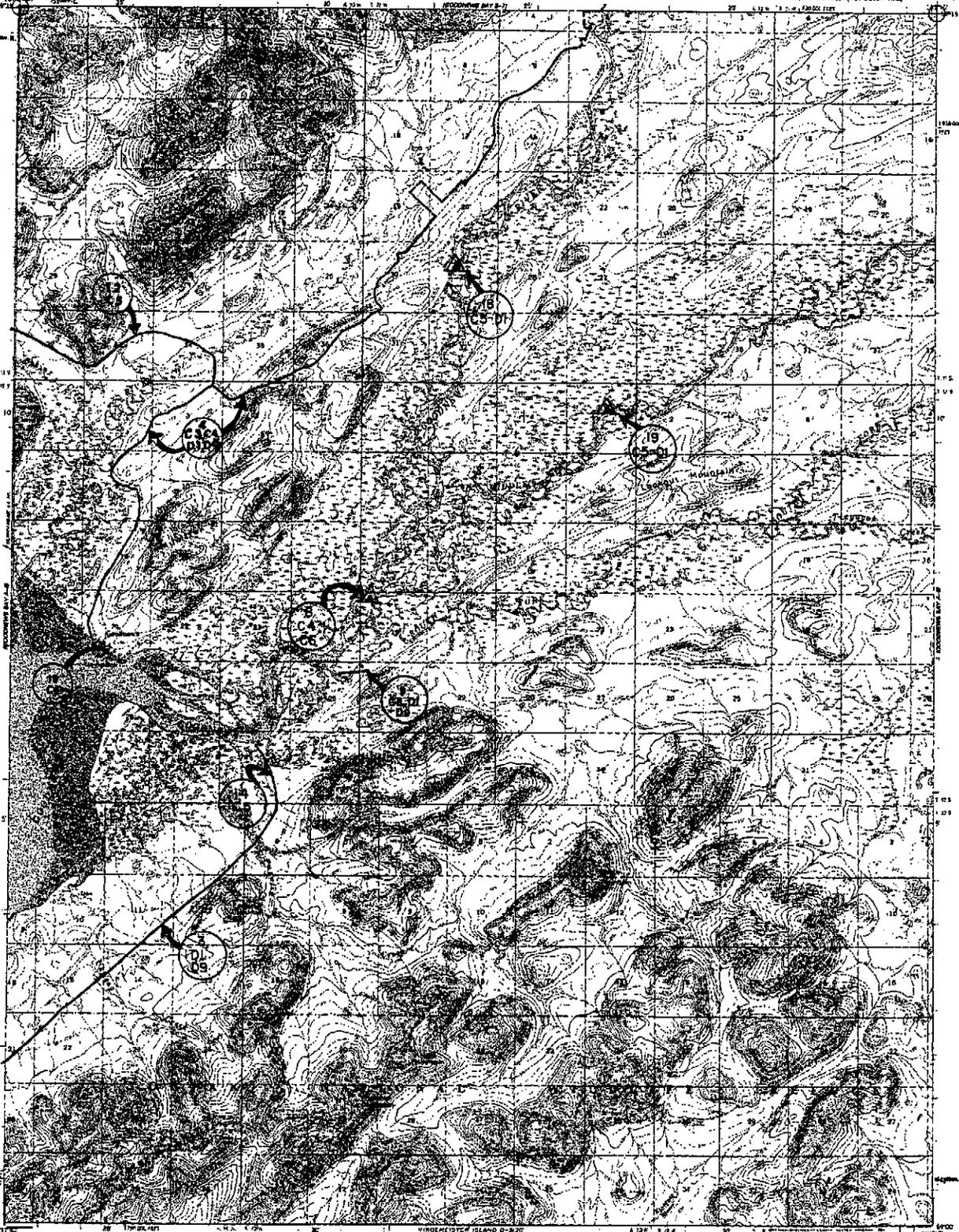
1 - Easement Maps: Iditarod A-5, A-6
Goodnews A-6, B-6, B-7, C-7

cc: (w/attachments)

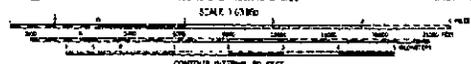
Calista Corporation (CM-RRR)
601 West Fifth Avenue, Suite 200
Anchorage, Alaska 99501-2225

Mr. Jim Culbertson (CM-RRR)
State Interest Determination Unit
Division of Land
State of Alaska, Department of Natural Resources
P.O. Box 107005
Anchorage, Alaska 99510-7005

Ms. Sharon Janis (CM-RRR)
Chief, Division of Realty
Attn: Togiak NWR
U.S. Fish and Wildlife Service
1011 East Tudor Road
Anchorage, Alaska 99503



Map made by the Ordnance Mapping Agency, Ottawa, and published by the Geological Survey. Control by HORNBOLD and 1961. Topography by photogrammetric methods from aerial photographs taken 1957, 1960 and 1961. Spot and field checked. Population and 1:50,000 contour grid taken from 1:250,000 topographic map, sheet A-7, 1957 from American Datum. 1:250,000 map the vertical datum is 100 feet from the geoid. The spot heights are 100 feet and 100 feet. Large area topographic and contour features published by the Bureau of Land Management, Falls S.W., Denver, Colorado. This map is unclassified, but the water areas, mostly of low relief, are indicated from aerial photographs. Printed reproduction facilities, published by the United States Government Printing Office, Washington, D.C. 20540 are shown as supplied by the publishing agency. There may be private holdings in this file in possession of the Bureau of Land Management prior to this date.



SCALE 1:50,000
CONTOUR INTERVAL 50 FEET
VERTICAL DATUM MEANS 79 FEET ON OMAHA
NATIONAL MERRILL SYSTEM, 1929
WATER OF THIS MAP IS THE UNADJUSTED LINE OF MEAN SEA LEVEL
THE HIGH WATER OF SEA LEVEL IS 1.1 FEET



ROAD CLASSIFICATION
Time

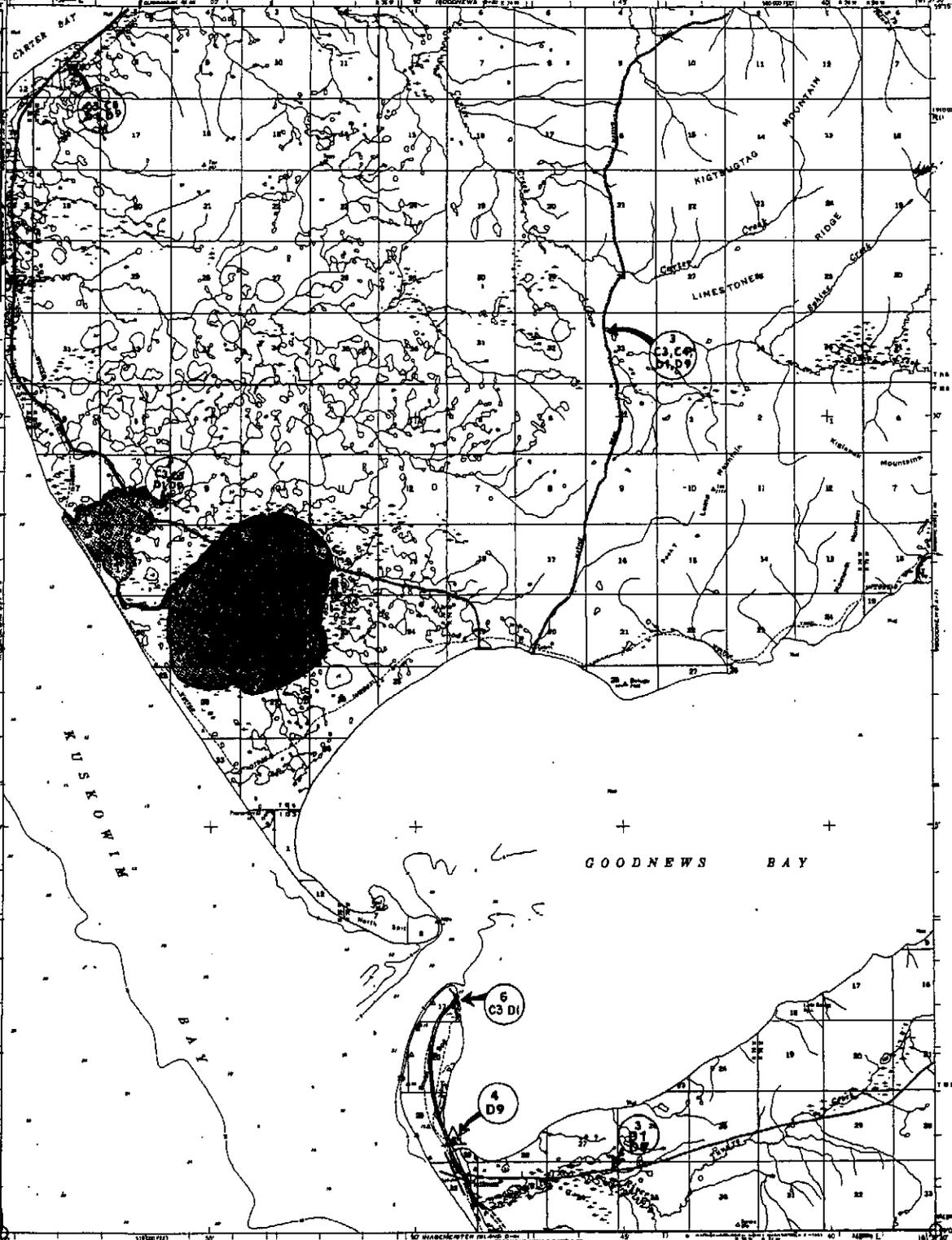
FOR SALE BY U. S. GEOLOGICAL SURVEY
PAPER NO. ALASKA 8777, DENVER, COLORADO 80202, OR WASHINGTON, VIRGINIA 22094
A FOLDER CONTAINING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

GOODNEWS BAY (A-7) ALASKA
1964
1:50,000 SERIES (TOPOGRAPHIC)

GEOLOGICAL SURVEY

1:50,000 SERIES (TOPOGRAPHIC)

VISSAGE	DATE	INITIALS
GOODNEWS	9-14-53	GVNS
GOODNEWS	7-2-54	GVNS



7

Shaded area shown, using described methods, is (or susceptible to) coral, tide and compass.

Pending determination of tidal influence.

COMPILED AND EVALUATED BY
 INFORMATION SYSTEMS DIVISION
 1961
 1515000

Map by the Army Map Service
 Edited and published by the Geological Survey
 Control by USGS and USACE
 Topography by photogrammetric methods from aerial photographs
 taken 1957 and 1962, scale unannotated 1:62,500. This not least checked
 against topographic data compiled from USGS 1:250,000 sheet 9103 (1814)
 This information is not intended for navigational purposes.
 Unannotated Transverse Mercator projection, 1927 North American datum
 1:50,000 scale grid based on Alaska Coordinate System, zone 7
 1:50,000 scale Transverse Mercator grid scale
 1:50,000 scale grid
 Land from represent Unannotated and unannotated features
 published by the Bureau of Land Management
 File 5-20 Social Museum



CONTOUR INTERVAL, 50 FEET
 DOTTED LINES INDICATE 10 FEET CONTOURS
 SPACES 4 FEET SEA LEVEL
 WITH OTHERS AND SHOWN IN FEET ABOVE SEA LEVEL
 UNLESS OTHERWISE NOTED OTHERWISE USE 10 FEET HIGH SEAS
 THE ELEVATION OF SEA LEVEL IS 1929

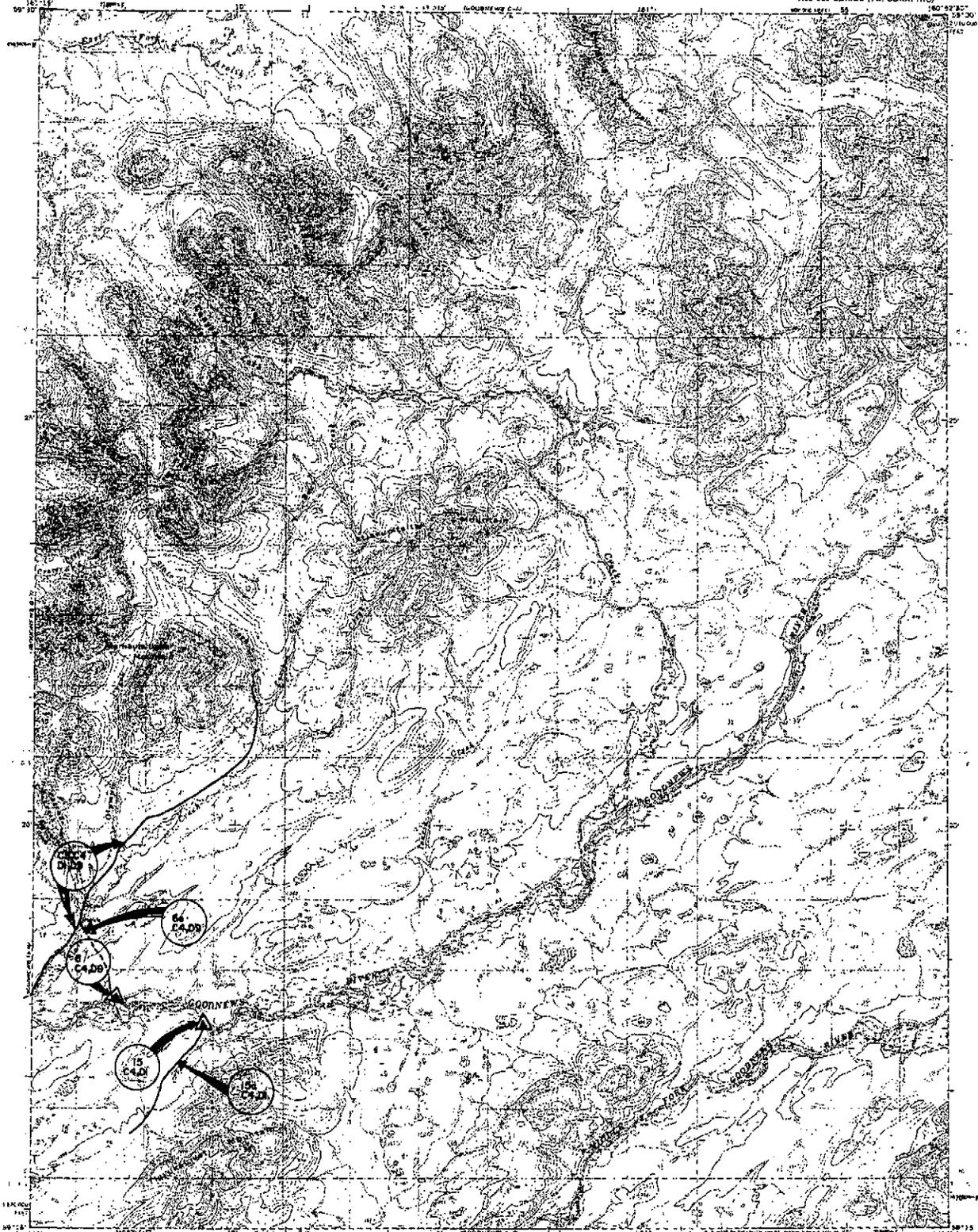
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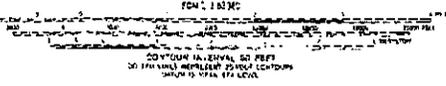
ROAD CLASSIFICATION
 Legend

GOODNEWS A-B
 GOODNEWS 1A-B, ALASKA
 1:50,000-91437-5/1962-5
 1964

GOODNESS A-B



Mapped by the Army Map Service
Edited and published by the Geological Survey
Control by USCGS and USACE
Transferable by photostereographic methods from aerial photographs taken 1957. First annotated 1954. Map not used checked
Universal Transverse Mercator projection. 1927 North American spheroid
10,000-foot grid based on a spheroid system, zone 7
1:63 540 Series Transverse Mercator grid, zone 7
ZONE 4, UTM 10N 51E
Grid lines represent unrounded grid extended locations
and determined by the Bureau of Land Management
Plan B-20, Survey of Mexico



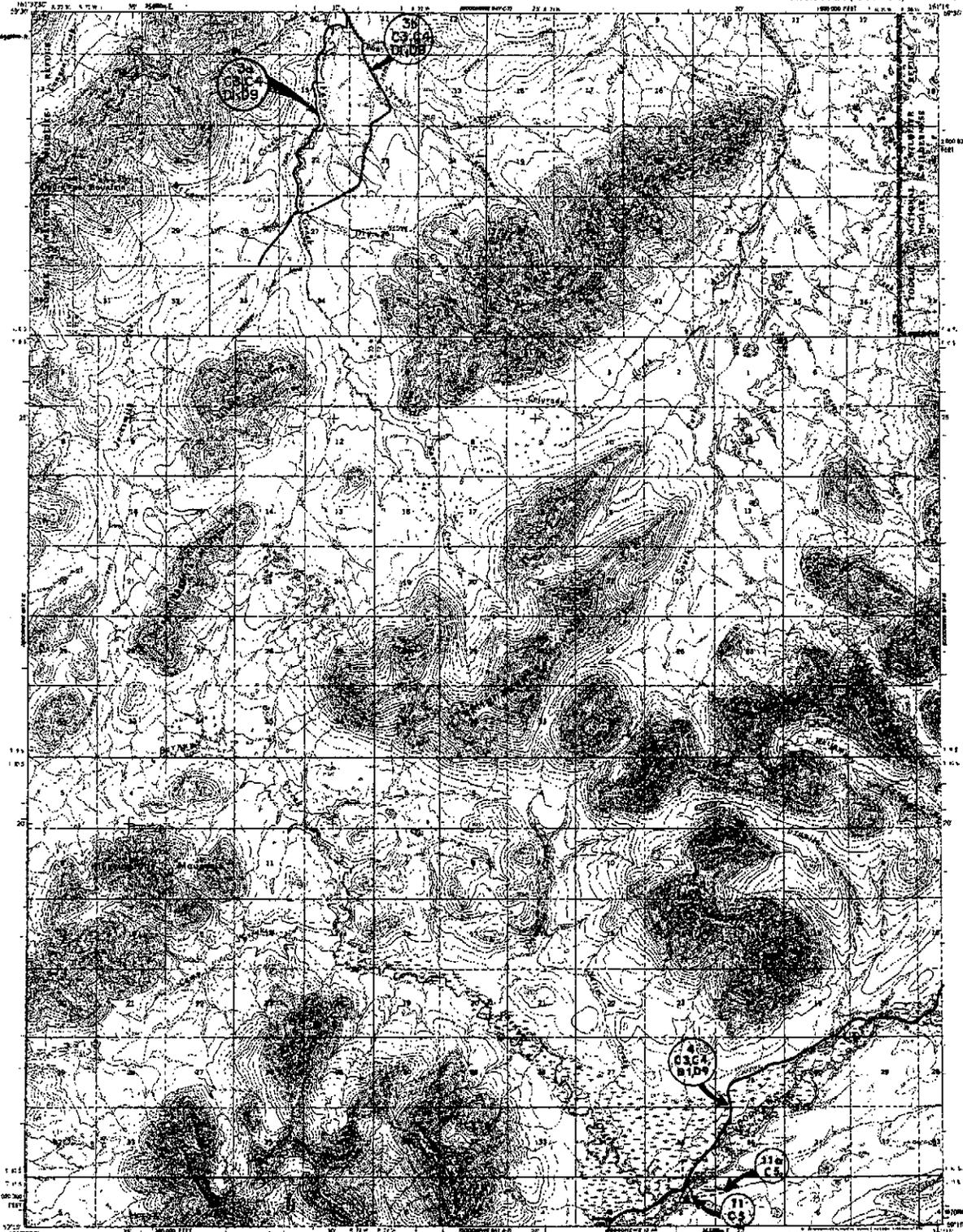
FOR SALE BY U.S. GEOLOGICAL SURVEY
FAIRBANKS, ALASKA 99701 DEWEER CIRCLE BOULEVARD, RESTON, VIRGINIA 20192
A FULLER DESCRIPTION TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

Goodnews B-6
1954

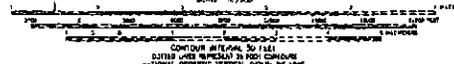
UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

GOODNEWS BAY (B-7) QUADRANGLE

ALASKA
1:62,500 SERIES (TOPOGRAPHIC)
SERIES 7111



Prepared by the District Mapping Agency
Edited and published by the Geological Survey
Control by HOSKINA and URSI
Topography by photogrammetric methods from aerial photographs
taken 1951, from photostereos 1948, and by field sketches
Published and 1:62,500 scale grid data shown in this
quadrangle were derived from the
1:62,500 scale grid data based on the
National Geodetic Survey
7111 Series
© 1954 by the United States Geological Survey
No publication shall be made without the
written consent of the Director of the Geological Survey
Printed in the United States of America
Scale 1:62,500
There may be printed elsewhere within the boundaries of
the Republic of Alaska information shown on this map



FOOD CLASSIFICATION
1:62,500

FOR SALE BY U.S. GEOLOGICAL SURVEY
FAIRBANKS ALASKA 99701 DENVER COLORADO 80202 OR WASHINGTON WASHINGTON 20508
* FOLIO SIZES: 10 1/2 X 14 1/2 INCHES

GOODNEWS BAY (B-7), ALASKA
7111B-7A111/1502.5
1954
MAY 1954

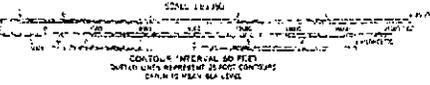
GOODNEWS B-7

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

GOODNEWS (C-7) QUADRANGLE
ALASKA
1:62,500 SERIES (TOPOGRAPHIC)



Mapped by the Army Map Service
Edited and published by the Geological Survey
Control by NGC695 and JGC6
Photography by airplane and ground aerial photographs
taken 1952, 1953, and 1957, with additional 1954. Aerial data checked
by ground photography and other information. 1957 North American datum.
10 000-foot grid based on Alaska coordinate system, zone 7
1000 of the Universal Transverse Mercator projection.
Zone 4, 800000 to 810000
Scale and, projection, instrument and assumed datum
indicated on map of the Bureau of Land Management
File 5-20, Island No. 1



FOR SALE BY U. S. GEOLOGICAL SURVEY
FAIRBANKS, ALASKA 99701, DENVER, COLORADO 80202, OR RESTON, VIRGINIA 20192
A POLAR PROJECTION TOPOGRAPHIC MAP AND SYMBOLS IS AVAILABLE ON REQUEST

4000 CLASSIFICATION
1954
Goodnews C-7
GOODNEWS (C-7), ALASKA
1:62,500 SERIES (TOPOGRAPHIC)
1954



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Alaska State Office
222 W. 7th Avenue, #13
Anchorage, Alaska 99513-7599

**Goodnews River System
Interim Summary Report
Attachment 30**

AA-70147 (2653)
AA-70153 (2653)
AA-76421 (2627)
AA-76422 (2627)
(962) hc/jl

DECEMBER 13 1995

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DECISION

Calista Corporation	:	AA-70147 and AA-70153
Attn: Land Department	:	Regional Selection
601 West Fifth Avenue, Suite 200	:	Applications
Anchorage, Alaska 99501	:	
	:	
State of Alaska	:	AA-76421, AA-76422,
Department of Natural Resources	:	General Purposes Grant
Division of Land	:	State Selection Applications
Realty Services Section	:	
3601 C Street, Suite 960	:	
Anchorage, Alaska 99503-5936	:	

State's Filings of No Effect
State Sec. 906(e) Topfilings Rejected
Regional Selection Application Rejected in Part
Lands Proper for Regional Selection
Approved for Interim Conveyance

On September 30, 1976, Calista Corporation filed selection application AA-12466, as amended, under the provisions of Sec. 14(h)(8) of the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), 43 U.S.C. 1613(h)(8), for the surface and subsurface estates of certain lands formerly withdrawn by Secs. 11(a)(1) and 11(a)(3) of ANCSA. However, much of their selection pattern did not meet the criteria under 43 CFR 2653.9(c), specifically the requirement to conform to the minimum two mile linear exterior boundary requirement. On November 7, 1988, Calista Corporation requested a waiver of the regulations pursuant to 43 CFR 2653.4(c) to reopen its regional land selection period and 43 CFR 2653.9(c) to waive the minimum two mile linear exterior boundary requirement in order to amend its selection pattern. Included with this request for waiver were new selection applications, including AA-70147 and AA-70153, as amended, for additional and different

lands including lands within Tps. 23 N., Rs. 49 and 50 W., Tps. 8-12 S., R. 71 W., and Tps. 7 and 8 S., R. 72 W., Seward Meridian, Alaska, pursuant to Sec. 14(h)(8) of the ANCSA. On May 21, 1991, the Secretary of the Interior approved such a waiver pursuant to 43 CFR 2653.4(c), excluding any lands located within the boundaries of the Yukon Delta and the Togiak National Wildlife Refuges, thereby allowing Calista Corporation's previously filed applications, including AA-70147 and AA-70153, as amended, to segregate the lands for potential conveyance pursuant to Sec. 14(h)(8) of ANCSA, as of the date of their filing. On June 24, 1991, Calista Corporation confirmed its selection.

Certain of these townships, including Tps. 23 N., Rs. 49 and 50 W., and Tps. 10-12 S., R. 71 W., Seward Meridian, were withdrawn by Sec. 11(a)(1) of the ANCSA for selection pursuant to that Act, including selection pursuant to Sec. 14(h)(8).

Certain other townships, including Tps. 8 and 9 S., R. 71 W., and T. 8 S., R. 72 W., Seward Meridian, were not withdrawn pursuant to Sec. 11(a)(1)(B), (C), 11(a)(3) or (16) of the ANCSA. Two of these townships, specifically, Tps. 8 and 9 S., R. 71 W., Seward Meridian, were withdrawn by Public Land Order (PLO) No. 5179 on March 9, 1972, and reserved for study and for possible recommendation to the Congress as additions to or creation as units of the national parks, forest, wildlife refuge and wild and scenic river systems, pursuant to Sec. 17(d)(2) of the ANCSA, for a period of two years. Upon expiration of that two year timeframe, the withdrawal of the lands under Sec. 17(d)(2) of the ANCSA terminated, and the lands then fell under Sec. 17(d)(1) withdrawal of the same Act. Sec. 17(d)(1) states ". . . the Secretary is authorized to classify or reclassify any lands so withdrawn and to open such lands to appropriation under the public land laws in accord with his classifications," thereby allowing for selection of these lands under Sec. 14(h)(8) of the ANCSA.

The third township, T. 8 S., R. 72 W., Seward Meridian, was withdrawn by PLO Nos. 5653 and 5654 on November 16, 1978 and November 17, 1978, respectively, to reserve the public lands to protect their resource values, pursuant to Sec. 204(e) of the Federal Lands Policy and Management Act of 1976, 43 U.S.C. 1714(e), for a period of three years. On December 2, 1980, Sec. 1322(a) of the Alaska National Interest Lands Conservation Act (ANILCA) rescinded these withdrawals, thereby opening the lands to selection under the public land laws including Sec. 14(h)(8) of the ANCSA.

On December 18, 1971, T. 7 S., R. 72 W., Seward Meridian, was withdrawn by Sec. 11(a)(1) of the ANCSA for selection pursuant to that Act, including selection pursuant to Sec. 14(h)(8). However, on March 9, 1972, PLO No. 5184 withdrew this township for study by the Secretary of the Interior for the purpose of classification or reclassification, pursuant to Sec. 17(d)(1) of the ANCSA. Subsequently, on November 16, 1978, and November 17, 1978, PLO Nos. 5653 and 5654, respectively, withdrew and reserved the public lands to protect their resource values, pursuant to Sec. 204(e) of the Federal Lands Policy and Management Act of 1976, 43 U.S.C. 1714(e), for a period of three years. Finally, on February 11, 1980, PLO No. 5703 withdrew these lands for inclusion in the Togiak National Wildlife Refuge. PLO Nos. 5653, 5654, and 5703 were rescinded by Sec. 1322(a) of the ANILCA on December 2, 1980; however, Sec. 303(6) of that act withdrew and reestablished these same

lands as the Togiak National Wildlife Refuge, the status in which they remain today. Sec. 14(h)(8) of the ANCSA states specifically:

"(1) The Secretary is authorized to withdraw and convey 2 million acres of unreserved and unappropriated public lands located outside the areas withdrawn by sections 11 and 16 . . . "

At no time during the selection period allowed by the ANCSA have the lands within T. 7 S., R. 72 W., Seward Meridian, been available for selection pursuant to Sec. 14(h)(8) of that Act. Therefore regional selection application AA-70153 must be and is hereby rejected as to those lands within Sec. 36, T. 7 S., R. 72 W., Seward Meridian, Alaska.

On December 31, 1992, the State of Alaska filed selection applications AA-76421 and AA-76422, pursuant to the Alaska Statehood Act of July 7, 1958, Pub. L. 85-508, 72 Stat. 339, as amended, and Sec. 906(e) of the Alaska National Interest Lands Conservation Act of December 2, 1980 (ANILCA), Pub. L. 96-487, 94 Stat. 2371, as amended, for lands described as Sec. 28, T. 23 N., R. 49 W., and Secs. 19 through 22, and 27 through 34, T. 23 N., R. 50 W., Seward Meridian, respectively. Sec. 6(b) of the Alaska Statehood Act provides that the State may select vacant, unappropriated and unreserved public lands in Alaska. State selection applications AA-76421 and AA-76422, describe lands which were validly selected on November 7, 1988, by Calista Corporation pursuant to Sec. 14(h)(8) of the ANCSA. These lands were not available for selection by the State of Alaska; therefore, the State's applications have no segregative effect as to these lands. The State's filings pursuant to Sec. 906(e) of ANILCA are hereby rejected.

As to the lands described below, regional selection applications AA-70147 and AA-70153, are properly filed and meet the requirements of the ANCSA and of the regulations issued pursuant thereto. These lands do not include any lawful entry perfected under or being maintained in compliance with laws leading to acquisition of title.

In view of the foregoing, the surface and subsurface estates of the following-described lands, selected pursuant to Sec. 14(h)(8) of the ANCSA, aggregating approximately 34,046 acres, are considered proper for acquisition by Calista Corporation and are hereby approved for conveyance pursuant to Sec. 14(h)(8) of the ANCSA:

Seward Meridian, Alaska (unsurveyed)

T. 23 N., R. 49 W.,
Sec. 28.

Containing approximately 640 acres.

T. 23 N., R. 50 W.,
Secs. 19 to 22, inclusive;
Secs. 27 to 34, inclusive.

Containing approximately 7,607 acres.

T. 8 S., R. 71 W.,
Secs. 3 and 4;
Sec. 5;
Sec. 6, excluding lots 1 and 2, U.S. Survey
No. 9422;
Secs. 7, 8 and 9;
Sec. 10;
Secs. 18 and 19.

Containing approximately 6,254 acres.

T. 9 S., R. 71 W.
Sec. 36, excluding U.S. Survey
No. 10325.

Containing approximately 615 acres.

T. 10 S., R. 71 W.
Secs. 1 to 4, inclusive;
Secs. 9 and 10;
Sec. 15;
Sec. 16, excluding U.S. Survey
No. 9730.

Containing approximately 5,040 acres.

T. 11 S., R. 71 W.,
Secs. 13, and 14;
Secs. 23 and 24;
Secs. 25 and 26;
Secs. 35 and 36.

Containing approximately 5,010 acres.

T. 12 S., R. 71 W.,
Secs. 1 and 2.

Containing approximately 1,280 acres.

T. 8 S., R. 72 W.,
Sec. 1, excluding lot 1, U.S. Survey No. 9422;
Secs. 2 and 3;
Secs. 10 to 15, inclusive;
Secs. 22, 23 and 24.

Containing approximately 7,600 acres.

Aggregating approximately 34,046 acres.

Excluded from the above-described lands are the submerged lands, if any, up to the ordinary high water mark, beneath rivers or streams 3 chains wide (198 feet) and wider, and lakes 50 acres and larger, which are meanaderable according to the 1973 Bureau of Land Management Manual of Surveying Instructions, as modified by Departmental regulation 43 CFR 2650.5-1, and navigable waters, if any, of lesser size. These submerged lands will be identified at the time of survey.

All navigable water bodies will be identified at the time of survey.

Enclosed are current status plats showing the lands approved for conveyance, along with maps showing the easements to be reserved.

The conveyance issued for the surface and subsurface estates of the lands described above shall contain the following reservations to the United States:

Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1616(b), the following public easements, referenced by easement identification number (EIN) on the easement maps, copies of which can be found in the Bureau of Land Management's Public Land Records, are reserved to the United States. All easements are subject to applicable Federal, State, or municipal corporation regulation. The following is a listing of uses allowed for each type of easement. Any uses which are not specifically listed are prohibited.

25 Foot Trail - The uses allowed on a twenty-five (25) foot wide trail easement are: travel by foot, dogsleds, animals, snowmobiles, two- and three-wheel vehicles, and small all-terrain vehicles (ATVs) (less than 3,000 lbs. Gross Vehicle Weight (GVW)).

50 Foot Trail - The uses allowed on a fifty (50) foot wide trail easement are: travel by foot, dogsleds, animals, snowmobiles, two- and three-wheel vehicles, small and large all-terrain vehicles (ATVs), track vehicles and four-wheel drive vehicles.

- a. (EIN 3 C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from Sec. 31, T. 7 S., R. 71 W., Seward Meridian, southwesterly, to Sec. 10, T. 8 S., R. 72 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

This easement is subject to the State of Alaska's claimed R.S. 2477 right-of-way, if valid.

- b. (EIN 3a C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from Sec. 10, T. 8 S., R. 72 W., Seward Meridian, southwesterly, to

public land in Sec. 27, T. 8 S., R. 72 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to winter.

This easement is subject to the State of Alaska's claimed R.S. 2477 right-of-way, if valid.

- c. (EIN 3b C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from Sec. 10, T. 8 S., R. 72 W., Seward Meridian, southwesterly, to public land in Sec. 27, T. 8 S., R. 72 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to summer.

This easement is subject to the State of Alaska's claimed R.S. 2477 right-of-way, if valid.

- d. (EIN 4 C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from Sec. 21, T. 10 S., R. 71 W., Seward Meridian, northeasterly, generally paralleling Slate Creek to the intersection EIN 6a, C4, D9, Sec. 15, T. 10 S., R. 71 W., Seward Meridian, Alaska where the trail width becomes fifty (50) feet in width and continues paralleling Slate Creek to public lands in Sec. 25, T. 9 S., R. 71 W., Seward Meridian, Alaska. The uses allowed are those listed above for a twenty-five (25) and fifty (50) foot wide trail easement. The season of use is limited to winter, only on the twenty-five (25) foot wide section of EIN 4 C3, C4, D1, D9.

This easement is subject to the State of Alaska's claimed R.S. 2477 right-of-way, if valid.

- e. (EIN 8 C3, L) An easement fifty (50) feet in width for an existing access trail from EIN 8 C3, L in Sec. 33, T. 23 N., R. 49 W., Seward Meridian, northwesterly, paralleling Grouse Creek to public land. This trail proceeds through public land and enters the selection again in Sec. 27, T. 23 N., R. 50 W., Seward Meridian, following Return Creek and continuing on to public land in Sec. 36, T. 23 N., R. 51 W., Seward Meridian. The uses allowed are those listed above for a fifty (50) foot wide trail easement.

This easement is subject to the State of Alaska's claimed R.S. 2477 right-of-way, if valid.

- f. (EIN 6a, C4, D9) An easement fifty (50) feet in width for a proposed access trail from EIN 6 C4, D9, in Sec. 22, T. 10 S., R. 71 W., Seward Meridian, northwesterly to EIN 4 C3, C4, D1, D9 in Sec. 15, T. 10 S., R. 71 W., Seward Meridian. The uses allowed are those listed above for a fifty (50) foot wide trail easement.

The grant of the above-described lands shall be subject to:

1. Issuance of a patent after approval and filing by the Bureau of Land Management of the official plats of survey confirming the boundary description and acreage of the lands hereinabove granted; and
2. Valid existing rights therein, if any, including but not limited to those created by any lease, contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2) of the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), 43 U.S.C. 1601, 1616(b)(2), any valid existing right recognized by the ANCSA shall continue to have whatever right of access as is now provided for under existing law.

Calista Corporation is entitled to conveyance of a minimum of 248,243.14 acres of land selected pursuant to Sec. 14(h)(8) of the ANCSA. Together with the lands herein approved, approximately 84,341 acres of this entitlement have been approved for conveyance. The remaining entitlement will be conveyed at a later date.

In accordance with Departmental regulation 43 CFR 2650.7(d), notice of this decision is being published once in the Federal Register and once a week for four (4) consecutive weeks in The Tundra Drums.

Any party claiming a property interest in lands affected by this decision, an agency of the Federal government, or regional corporation may appeal the decision to the Interior Board of Land Appeals, Office of Hearings and Appeals, in accordance with the regulations contained in 43 CFR, Part 4, and Form 1842-1 (copies enclosed). If an appeal is taken, the notice of appeal must be filed with the Bureau of Land Management, Alaska State Office, 222 West Seventh Avenue, #13, Anchorage, Alaska 99513-7599. The appellant has the burden of showing that the decision appealed from is in error. Failure to file the notice of appeal with the Bureau within the time allowed is a jurisdictional defect and will result in dismissal of the appeal. In order to avoid dismissal of the appeal, there must be strict compliance with the regulations. Copies of the notice of appeal must also be submitted to each party named in the heading of this decision and to the Office of the Regional Solicitor, Alaska Region,

U.S. Department of the Interior, 4230 University Drive, Suite 300, Anchorage, Alaska 99508-4626 at the same time the original documents are filed with this office. The time limits for filing an appeal are:

1. Parties receiving service of this decision by personal service or certified mail, return receipt requested, shall have thirty days from receipt of this decision to file an appeal.
2. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, parties who failed or refused to sign their return receipt, and parties who received a copy of this decision by regular mail which is not certified, return receipt requested, shall have until 13 JAN 1996 to file an appeal.

The Departmental regulations in 43 CFR 4.21 (58 FR 4939, copy enclosed) provide that parties entitled to file an appeal may file a request for a stay of the effectiveness of this decision during the time that the appeal is being reviewed by the Board. The request for a stay must accompany the notice of appeal submitted to the Bureau of Land Management (BLM) and a copy of both documents must be served on the Interior Board of Land Appeals, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, Virginia 22203, at the same time they are submitted to the BLM. A copy of the request for a stay must also accompany each copy of the notice of appeal submitted to the parties listed in the heading to this decision or specifically listed as parties to be served in the paragraph on filing an appeal. A request for a stay is required to show sufficient justification based on the standards listed below.

Standards for Obtaining a Stay

If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Except as otherwise provided by law or other pertinent regulation, the regulations in 43 CFR 4.21(b) provide that a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

/s/ Heather A Coats

Heather A. Coats
Land Law Examiner
Branch of Gulf Rim Adjudication

Enclosures:
Form 1842-1
Appeal Regulations
Federal Register Publication
(58 FR 4939, dtd 1/19/93)
Status Plats
Easement Maps
Easement Memos

Copy furnished to:

State of Alaska (CM-RRR)
Department of Transportation
and Public Facilities
Right of Way Branch
P.O. Box 196900
Anchorage, Alaska 99519-6900
(w/enclosures)

Commander (sr)
MLC PAC
Coast Guard Island
Alameda, California 94501-5100
(w/enclosures)

Commandant (G-ECU-4)
Attn: Marcia Eckman
U.S. Coast Guard
2100 Second Street, SW
Washington, D.C. 20593
(w/enclosures)

Department of Community and Regional
Affairs
Municipal and Regional Assistance Program
Municipal Trust Program
Attn: Rick Elliot
333 West 4th Avenue, Suite 200
Anchorage, Alaska 99501-2341
(w/cy enclosures)

Alaska Legal Services Corporation
1016 West Sixth Avenue, Suite 200
Anchorage, Alaska 99501

Alaska Legal Services Corporation
763 Seventh Avenue
Fairbanks, Alaska 99701

DM-Anchorage (040)

AA-54569 (2561)

AA-9493 (2653)

AA-8099-01 (2652)

AA-70147
AA-70153

Goodnews River System
Interim Summary Report
Attachment 31

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
222 WEST SEVENTH AVENUE, #13
ANCHORAGE, ALASKA 99513-7599

INTERIM CONVEYANCE

WHEREAS

Calista Corporation

is entitled to a conveyance pursuant to Secs. 14(h)(8) and 22(j) of the Alaska Native Claims Settlement Act of December 18, 1971, as amended, 43 U.S.C. 1601, 1613(h)(8), 1621(j), of the surface and subsurface estates in the following-described lands:

Seward Meridian, Alaska (unsurveyed)

T. 23 N., R. 49 W.
Sec. 28.

Containing approximately 640 acres.

T. 23 N., R. 50 W.
Secs. 19 to 22, inclusive;
Secs. 27 to 34, inclusive.

Containing approximately 7,607 acres.

T. 8 S., R. 71 W.
Secs. 3 and 4;
Sec. 5;
Sec. 6, excluding lots 1 and 2, U.S. Survey
No. 9422;

Interim Conveyance No. **1660**

Date **JANUARY 26 1996**

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Secs. 7, 8 and 9;
Sec. 10;
Secs. 18 and 19.

Containing approximately 6,254 acres.

T. 9 S., R. 71 W.
Sec. 36, excluding U.S. Survey
No. 10325.

Containing approximately 615 acres.

T. 10 S., R. 71 W.
Secs. 1 to 4, inclusive;
Secs. 9 and 10;
Sec. 15;
Sec. 16, excluding U.S. Survey
No. 9730.

Containing approximately 5,040 acres.

T. 11 S., R. 71 W.
Secs. 13, and 14;
Secs. 23 and 24;
Secs. 25 and 26;
Secs. 35 and 36.

Containing approximately 5,010 acres.

T. 12 S., R. 71 W.
Secs. 1 and 2.

Containing approximately 1,280 acres.

Interim Conveyance No. _____

1660

Date JANUARY 26 1996

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T. 8 S., R. 72 W.
Sec. 1, excluding lot 1, U.S. Survey No. 9422;
Secs. 2 and 3;
Secs. 10 to 15, inclusive;
Secs. 22, 23 and 24.

Containing approximately 7,600 acres.

Aggregating approximately 34,046 acres.

Excluded from the above-described lands herein conveyed are the submerged lands, if any, up to the ordinary high water mark, beneath rivers or streams 3 chains wide (198 feet) and wider and lakes 50 acres and larger, which are meanderable according to the 1973 Bureau of Land Management Manual of Surveying Instructions, as modified by Departmental regulation 43 CFR 2650.5-1, and navigable waters, if any, of lesser size. These submerged lands will be identified at the time of survey.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES OF AMERICA, unto the above-named corporation the surface and subsurface in the lands above described; TO HAVE AND TO HOLD the said lands with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said corporation, its successors and assigns, forever.

EXCEPTING AND RESERVING TO THE UNITED STATES from the lands so granted:

Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1616(b), the following public easements, referenced by easement identification number (EIN) on the easement maps, copies of which can be found in the Bureau of Land Management's Public Land Records, are reserved

Interim Conveyance No. **1660**

Date JANUARY 26 1996

AA-70147
AA-70153

to the United States. All easements are subject to applicable Federal, State, or municipal corporation regulation. The following is a listing of uses allowed for each type of easement. Any uses which are not specifically listed are prohibited.

25 Foot Trail - The uses allowed on a twenty-five (25) foot wide trail easement are: travel by foot, dogsleds, animals, snowmobiles, two- and three-wheel vehicles, and small all-terrain vehicles (ATVs) (less than 3,000 lbs. Gross Vehicle Weight (GVW)).

50 Foot Trail - The uses allowed on a fifty (50) foot wide trail easement are: travel by foot, dogsleds, animals, snowmobiles, two- and three-wheel vehicles, small and large all-terrain vehicles (ATVs), track vehicles and four-wheel drive vehicles.

- a. (EIN 3 C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from Sec. 31, T. 7 S., R. 71 W., Seward Meridian, southwesterly, to Sec. 10, T. 8 S., R. 72 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

This easement is subject to the State of Alaska's claimed R.S. 2477 right-of-way, if valid.

- b. (EIN 3a C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from Sec. 10, T. 8 S., R. 72 W., Seward Meridian, southwesterly, to public land in Sec. 27, T. 8 S., R. 72 W., Seward Meridian. The uses allowed are

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1660

Date JANUARY 26 1996

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AA-70153

those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to winter.

This easement is subject to the State of Alaska's claimed R.S. 2477 right-of-way, if valid.

- c. (EIN 3b C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from Sec. 10, T. 8 S., R. 72 W., Seward Meridian, southwesterly, to public land in Sec. 27, T. 8 S., R. 72 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to summer.

This easement is subject to the State of Alaska's claimed R.S. 2477 right-of-way, if valid.

- d. (EIN 4 C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from Sec. 21, T. 10 S., R. 71 W., Seward Meridian, northeasterly, generally paralleling Slate Creek to the intersection EIN 6a, C4, D9, Sec. 15, T. 10 S., R. 71 W., Seward Meridian, Alaska where the trail width becomes fifty (50) feet in width and continues paralleling Slate Creek to public lands in Sec. 25, T. 9 S., R. 71 W., Seward Meridian, Alaska. The uses allowed are those listed above for a twenty-five (25) and fifty (50) foot wide trail easement. The season of use is limited to winter, only on the twenty-five (25) foot wide section of EIN 4 C3, C4, D1, D9.

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1660

Date JANUARY 26 1996

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This easement is subject to the State of Alaska's claimed R.S. 2477 right-of-way, if valid.

- e. (EIN 8 C3, L) An easement fifty (50) feet in width for an existing access trail from EIN 8 C3, L in Sec. 33, T. 23 N., R. 49 W., Seward Meridian, northwesterly, paralleling Grouse Creek to public land. This trail proceeds through public land and enters the selection again in Sec. 27, T. 23 N., R. 50 W., Seward Meridian, following Return Creek and continuing on to public land in Sec. 36, T. 23 N., R. 51 W., Seward Meridian. The uses allowed are those listed above for a fifty (50) foot wide trail easement.

This easement is subject to the State of Alaska's claimed R.S. 2477 right-of-way, if valid.

- f. (EIN 6a, C4, D9) An easement fifty (50) feet in width for a proposed access trail from EIN 6 C4, D9, in Sec. 22, T. 10 S., R. 71 W., Seward Meridian, northwesterly to EIN 4 C3, C4, D1, D9 in Sec. 15, T. 10 S., R. 71 W., Seward Meridian. The uses allowed are those listed above for a fifty (50) foot wide trail easement.

THE GRANT OF THE ABOVE-DESCRIBED LANDS IS SUBJECT TO:

1. Issuance of a patent after approval and filing by the Bureau of Land Management of the official plats of survey confirming the boundary descriptions and acreage of the lands hereinabove granted; and
2. Valid existing rights therein, if any, including but not limited to those created by any lease, contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the

Interim Conveyance No. **1660**

Date JANUARY 26 1996

AA-70147
AA-70153

complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2) of the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), 43 U.S.C. 1601, 1616(b)(2), any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law.

IN WITNESS WHEREOF, the undersigned authorized officer of the Bureau of Land Management has, in the name of the United States, set his hand and caused the seal of the Bureau to be hereunto affixed on this 26th day of January, 1996, in Anchorage, Alaska.

UNITED STATES OF AMERICA

/s/ Terry R. Hassett

Terry R. Hassett
Chief, Branch of Gulf Rim
Adjudication

Interim Conveyance No. 1660

Date JANUARY 26 1996



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Alaska State Office
222 W. 7th Avenue, #13
Anchorage, Alaska 99513-7599
<http://www.ak.blm.gov>



MAR 21 2006

9600 (927)

**Goodnews River System
Interim Summary Report
Attachment 32**

Goodnews Bay-VS-FY-2006
Hagemeister Island -VS-FY-2006
F-14862-A (2651)
F-14862-A2 (2651)
F-14920-A (2651)
F-14920-A2 (2651)
F-14862-EE (75.4)
F-14920-EE (75.4)
AA-82829-FL (75.06)

Memorandum

To: Chief, Branch of Survey Planning and Preparation (927)

From: Chief, Navigability Section (927)

Subject: Navigable Waters within Village/Regional-Selected and Interim Conveyed (IC) lands in the vicinity of the Goodnews Bay-Platinum Survey Project (Window 2687)

This memorandum summarizes previously-identified navigable water bodies on certain ICd, regional and village-selected lands, within 19 townships in the vicinity of the villages of Goodnews Bay and Platinum. A portion of the Platinum village selection area is situated within the Togiak National Wildlife Refuge. These lands, which were unreserved at the time of Statehood, are scheduled for survey during the 2006 field survey season. The authority to identify navigable waters on these selected lands rests in the Alaska Statehood Act, Alaska Native Claims Settlement Act (ANCSA), and the Native Allotment Act.

The BLM has previously issued navigability determinations affecting most of the water bodies in the report area. The attached appendix lists all the townships affected by ANCSA ICs, regional and village land selections. Prior navigability determinations, if applicable, are indicated by the date of issue as to the affected lands.

Streams 198 feet or more in width are not listed because, regardless of their navigability status, they either are or will be segregated on the survey plats. The same is true for lakes fifty acres or more. BLM has, in the past, rendered navigability determinations on rivers wider than three chains such as the Goodnews River and the Middle Fork of the Goodnews River. While not typically noted in the Appendix these rivers are listed because we have found them navigable for travel, trade and commerce.¹

Only upland navigable rivers and streams less than three chains in width and lakes less than fifty acres in size which cross ICd lands and pending ANCSA regional selections and village selections that have been prioritized for conveyance are described.

All but five of the townships described below have been surveyed. The survey plats have been reviewed in accordance with the navigability determinations from previous reports and from the ANCSA Sec.17(b) easement quadrangles affecting ICd lands. The survey plats appear to accurately depict the navigable water bodies; therefore, no supplemental plats are required.

The BLM-Alaska's navigability determinations are based on Federal law of title navigability. Title to unreserved lands underlying navigable waters vested in the State at the time of statehood. As a general rule, inland waters are navigable if, at the time of statehood, they were used, or were susceptible to use, for travel, trade, and commerce. In a memorandum dated March 16, 1976, Associate Solicitor Hugh C. Garner summarized the Submerged Lands Act of 1953 (43 U.S.C. 1301) and Federal case law pertaining to title navigability. The Alaska Submerged Lands Act of 1988 (P.L. 100-395) provides specific direction regarding navigability determinations and survey meanders for land transfers under the Alaska Statehood Act, Alaska Native Claims Settlement Act, and the Native Allotment Act. Additional guidance is provided in *Appeal of Doyon, Ltd.*, Alaska Native Claims Appeal Board RLS 76-2, 86 I.D. 692 (1979)[Kandik and Nation Rivers]; *Alaska v. United States*, 754 F.2d 851 (9th Cir.1983), *cert. denied*, 474 U.S. 968 (1985) [Slopbucket Lake]; *Alaska v. Ahtna, Inc.*, 891 F.2d. 1401 (9th Cir.1989), *cert. denied*, 495 U.S. 919 (1990) [Gulkana River]; *United States v. Alaska*, Original No. 84 (1997) [Naval Petroleum Reserve No. 4]; and *Alaska v. United States*, No. 98-35310 (9th Cir. 2000) [Kukpowruk River].

If water bodies are less than meanderable size, and not listed in the appendix, they are non-navigable. They are too short, steep-in-gradient, narrow, or shallow for travel, trade, and commerce.

/S/ **Dominica Vankoten**

¹ SD to Chief Division of ANCSA and State Conveyance (960) , July 29, 1982 and Assistant to the State Director for Conveyance Management (913) to Chief, Division of ANCSA and State Conveyances (960), March 3, 1983, BLM navigability files.

Attachment:

Appendix of Navigable Waters

cc:

State of Alaska
Department of Natural Resources
Division of Mining, Land and Water
Navigability Unit
550 W. 7th Avenue, Suite 1330
Anchorage, Alaska 99501-3579
Attn: Scott Ogan

State of Alaska
Department of Natural Resources
Division of Mining, Land and Water
Realty Services Section
550 W. 7th Avenue, Suite 1050A
Anchorage, Alaska 99501-3579

State of Alaska
Department of Fish and Game
Sport Fish Division
333 Raspberry Road
Anchorage, Alaska 99518-1599
Attn: Robin Willis

U.S. Fish & Wildlife Service
Water Resources Branch, Region 7
Attn: Warren Keogh
1011 E. Tudor Road
Anchorage, Alaska 99503

Paul Liedberg, Refuge Manager
6 Main Street, Kangiituaq Building
P.O. Box 270
Dillingham, Alaska 99576

Kuitsarak, Incorporated
PO Box 10
Goodnews Bay, Alaska 99589-0010

ARVIQ, Inc.
P O Box 9
Platinum, Alaska 99651

Calista Corporation
Attn; Land Department
301 Calista Court, Suite A
Anchorage, Alaska 99518-3028

Chief, Branch of Field Surveys (921)

Chief, Branch of Preparation and Resolution (962)

Chief, Branch Geographic Adjudication II (964)

Chief, Branch of Lands and Realty (932)

Ralph Basner (927)

Dominica VanKoten (927)

Rodney Harvey (954C)
(Electronic Copy)

Appendix

Navigable Water Bodies within Certain ANCSA Selections and Interim Conveyed Lands

Goodnews Bay, Platinum Survey Project
(Calista Region)

Seward Meridian

T. 10 S., R. 71 W.

Secs. 1-4, 9, 10, 15 and 16 (IC 1660)

Slate Creek (report dated 6/6/88)

Secs. 5-8, 17-24 and 26-33

Goodnews River (report dated 7/29/82)

T. 11 S., R. 71 W.

Secs. 13, 14, 23-26, 35 and 36 (IC 1660)

Middle Fork Goodnews River (report dated 3/3/83)

Secs. 21, 22 and 28-32

Middle Fork Goodnews River (report dated 3/3/83)

T. 12 S., R. 71 W.

Secs. 1 and 2 (IC 1660)

South Fork Goodnews River (report dated 3/3/83)

T. 10 S., R. 72 W.

Secs. 1-5, 8-12, 15-17, 25

Goodnews River (report dated 7/29/82)

T. 11 S., R. 72 W.

Sec. 2 (IC 885)

Goodnews River, Barnum Creek (DIC dated 9/29/83)

Secs. 11, 14, 23, 25-29, 32-36

Goodnews River, Middle Fork Goodnews River (report dated 3/3/83)

T. 12 S., R. 72 W.

Sec. 10 (IC 885)

Middle Fork Goodnews River (DIC dated 9/29/83)

Secs. 1, 3, 4, 9, 11, 12, 14 and 15

Middle Fork Goodnews River, South Fork Goodnews River (report dated 3/3/83)

T. 10 S., R. 73 W.

Secs. 19 and 30

No navigable waters (report dated 2/17/89)

T. 12 S., R. 73 W.

Sec. 21 (IC 885)

No navigable waters (DIC dated 9/29/83)

T. 13 S., R. 73 W.

Secs. 1-5 and 7-18

No navigable waters (report dated 6/6/88)

T. 10 S., R. 74 W.

Secs. 10, 11, 13-15, 19-27, 34 and 35

No navigable waters (report dated 2/17/89)

T. 11 S., R. 74 W.

Sec. 3

No navigable waters (report dated 2/17/89))

T. 12 S., R. 74 W.

Sec. 28 (IC 885)

No navigable waters (report dated 2/17/89)

T. 13 S., R. 74 W.

Secs. 22-27 and 34-36 (IC 536)

No navigable waters (DIC dated 6/30/82)

T. 14 S., R. 74 W.

Secs. 7, 10-12, 17-20 and 30 (IC 1692)

No navigable waters (report dated 2/17/89)

Secs. 15, 16, 21, 22, 27-29 and 32-34

No navigable waters (report dated 2/17/89)

T. 15 S., R. 74 W.

Secs. 4 and 5

No navigable waters (report dated 6/6/88)

T. 10 S., R. 75 W.

Secs. 3, 10, 15, and 22-24

No navigable waters (report dated 2/17/89)

T. 13 S., R. 75 W.

Secs. 7, 19, 20, 29 and 32 (IC 536)

No navigable waters (DIC dated 6/30/82)

T. 14 S., R. 75 W.

Secs. 9-12, 16, 21, 22, 27, 28 and 33 (IC 1699)

No navigable waters

T. 15 S., R. 75 W.

Secs. 2-4, 9, 10, 15 and 16 (IC 1699)

No navigable waters



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Alaska State Office
222 West Seventh Avenue, #13
Anchorage, Alaska 99513-7599
<http://www.ak.blm.gov>



**Goodnews River System
Interim Summary Report
Attachment 33**

~~F-14862-EF (75-A)~~
F-14862-A (2651)
F-14862-A2(2651)
(961) led/jak

Memorandum

APR 12 2006

To: Chief, Branch of Adjudication II (964) (023)

From: Easement Coordinator

Subject: Final Easement Recommendations for Lands to be Patented to Kuitsarak Corporation for the Native Village of Goodnews Bay

The strategic plan and annual work plan require we identify easements on lands selected by Kuitsarak Corporation for the Native Village of Goodnews Bay. The following are the final easement recommendations. Of these recommendations, my decision is as follows for the lands described below. No further easement review prior to issuing patent is necessary.

Seward Meridian

T. 10 S., R. 71 W.
Sec. 7.

T. 11 S., R. 71 W.
Secs. 21 and 22;
Secs. 28 to 32, inclusive.

T. 10 S., R. 72 W.
Secs. 1 to 3, inclusive;
Secs. 10 and 11.

T. 11 S., R. 72 W.
Sec. 14;
Sec. 23;
Sec. 25 to 28, inclusive;
Sec. 36.

T. 12 S., R. 72 W.
 Sec. 1;
 Sec. 4;
 Secs. 11 and 12;
 Secs. 14 and 15.

T. 12 S., R. 74 W.
 Sec. 28.

MAJOR WATERWAYS:

The Goodnews River, the Middle Fork of the Goodnews River, and the South Fork of the Goodnews River, Kuskokwim Bay, Goodnews Bay and Carter Bay have been determined to be major waterways. These water bodies serve as travel routes to public lands.

ALLOWABLE USES:

25-Foot Trail – The uses allowed on a twenty-five (25) foot wide trail easement are: travel by foot, dogsleds, animals, snowmobiles, two- and three-wheeled vehicles and small all-terrain vehicles (ATV's) (less than 3,000 lbs. Gross Vehicle Weight (GVW)).

EASEMENTS TO BE RESERVED:

- a. (EIN 22 D1) An easement twenty-five (25) feet in width for a proposed access trail from EIN 4 C3 C4 D1 D9 in Sec. 24, T. 10 S. R. 72 W., S.M. northerly to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

Discussion: This easement is necessary to provide access to isolated public lands.

Attached to this memorandum are earlier memorandums dated May 6, 1987, March 3, 1994 and April 22, 1994 which recommend additional easements to be reserved.

EASEMENTS CONSIDERED BUT NOT RECOMMENDED:

- a. (EIN 20 D1) A one (1) acre site easement located upland of the ordinary high water mark on the right bank of the South Fork Goodnews River in Sec. 15, T. 12 S., R. 72 W., Seward Meridian.

Discussion: This one (1) acre site easement is not being recommended because public land is available on the South Fork Goodnews Bay River only ½ mile south in Sec. 22, T. 12 S., R. 72 W., Seward Meridian.

- b. (EIN 21 D9) A one (1) acre site easement located upland of the mean high tide line on the north shore of Goodnews Bay in Sec. 28, T. 12 S., R. 74 W., Seward Meridian.

Discussion: This one (1) acre site easement is not being recommended because public land is located westerly in Sec. 20, T. 12 S., R. 74 W., Seward Meridian.

The State of Alaska, Department of Natural Resources recommended nine (9) easement reservations on March 9, 2006. Only two (2) of the recommendations were on lands included in the December 6, 2005 Notice. Number 6 is a one (1) acre site easement not being recommended and Number 8 is an historical trail.

The State of Alaska Department of Fish and Game recommended two (2) easement reservations on March 10, 2006. A twenty-five (25) foot trail easement is being recommended. A proposed one (1) acre site easement is not being recommended.

BLM is not required to reserve an easement for every road and trail that exist on lands approved for conveyance under ANCSA. In fact, BLM is required to limit its easement reservations to only public easements reasonably necessary to guarantee access to publicly owned lands or major waterways and the other public uses which are contained in the regulations at 43 CFR 2650.4-7. The standard for determining which easements are reasonably necessary is present and existing use (43 CFR 2650.4-7(a)(3)). Historic use is to be used only if no reasonable alternative route is available and should not be used if it is duplicative.

EASEMENT MAPS:

The easement maps reflect the current status of easements. Only those easements recommended for inclusion in the conveyance document are shown on the easement maps.

/s/ KJ Mushovic

2-Attachments:

- 1- Easement Memorandums of May 6, 1987, March 3, 1994, April 22, 1994
- 2- Easement Maps: Goodnews Bay A-7, A-8, B-6, B-7, B-8

Copy furnished to:
(w/attachments)

Kuitsarak, Incorporated
P.O. Box 10
Goodnews Bay, Alaska 99589

Calista Corporation
Attn: Land Department
301 Calista Court, Suite A
Anchorage, Alaska 99518-3028

State of Alaska
Department of Natural Resources
Division of Mining, Land and Water
Sandra J. Singer, Realty Services Section
550 West Seventh Avenue, Suite 1050A
Anchorage, Alaska 99501-3579

State of Alaska
Department of Fish and Games
Division of Sport Fish
Attn. Robin Willis
333 Raspberry Road
Anchorage, Alaska 99518-1599

U.S. Fish and Wildlife Service
Division of Realty, Mail Stop 211
Chief, Branch of Operations
1011 Tudor Road
Anchorage, Alaska 99503

U.S. Fish and Wildlife Service
Refuge Manager
Togiak National Wildlife Refuge
P.O. Box 270
Dillingham, Alaska 99576

Anchorage Field Manager (040)

KJ Mushovic (961)

Easement Reading File (961)

**Goodnews River System
Interim Summary Report
Attachment 34**

9/24/08

Patricia/Joe:

It seems there's been a bit of a mix-up concerning the Goodnews Bay DIC request. On 5/14/08, you requested a DIC review for Goodnews Bay and Platinum. My response was dated 6/4/08. On 9/19/08 you requested another DIC review for Platinum for the same lands, only adding one section to the request.

I am attaching my first report, with explanations, and am stating in this note the fact that there are no navigable waters in Sec. 7, T. 10 S., R. 71 W., S. M.

If you have any questions, please give me a call at x3320.

Kathy Flippen

Note:

Please view the
Platinum village case file
F-14920-A for Map
Attachment.
TKX

To: Land Transfer (960)
From: Navigability Section (927)
Subject: Navigability Input for Inclusion in Decisions to Issue Conveyance (DIC)
Window No. 2687

1. Village/Region Name: Goodnews Bay (F-14862-A), Platinum (F-14920-A)

Navigability Determination/Date: Navigable Waters in Group Survey No. 194
(Window 1704) dated 6/6/88 (F-14862-EE, F-14920-EE)

Sec. 21, T. 10 S., R. 71 W., S.M. ✓
Slate Creek to Olympic Creek

*all done except Sec. 7
new det. request - Secs. 19-24, 26-33
See below**

Secs. 1-36, T. 14 S., R. 74 W., S.M.
No navigable waters

not in second reqt

Secs. 4 and 5, T. 15 S., R. 74 W., S.M.
No navigable waters

Not in second reqt.

2. Village/Region Name: Goodnews Bay (F-14862-A)

Final Easements for the Village of Goodnews Bay dated 7/29/82 (F-14862-EE)

✓ Secs. 19-24 and 28-33, T. 10 S., R. 71 W., S.M. ✱
Goodnews River

*only missing Sec. 7
no navs.*

3. Village/Region Name: Goodnews Bay (F-14862-A)

Final Navigability Determination for Goodnews River dated 3/3/83 (F-14862-A)

① Secs. 21, 22 and 28-32, T. 11 S., R. 71 W., S.M. ✓ *all done in this memo*
Middle Fork Goodnews River

✓ Secs. 1-3, 10, 11 and 25, T. 10 S., R. 72 W., S.M. ✓ *all done in this memo*
Goodnews River

① Secs. 11, 14, 23, 25-29 and 32-36, T. 11 S., R. 72 W., S.M. ✓ *all done in this memo*
Goodnews River

①② Secs. 1-4, 9-12, 14 and 15, T. 12 S., R. 72 W., S.M. ✓ all done in this memo
Middle Fork Goodnews River
South Fork Goodnews River

Sec. 28, T. 12 S., R. 74 W., S. M. ✓ done in this memo
No navigable waters

Kathy Flippen 6-4-08
Navigability Section Signature/Date CWG/4/08

To: Navigability Section (920)

From: Land Transfer (960)

Subject: Navigability Input for Inclusion in Decisions to Issue Conveyance (DIC) (pkw)
Window No. 2687

Date: 5/14/08

Please provide a statement regarding the presence or absence of navigable water bodies on the lands to be approved for conveyance. The area is highlighted on the attached window map.

1. Village/Region Name: Godnews Bay (F-14862) 12(a) + 12(b)

2. Village/Region Name: Platinum (F-14920) 12(a) + 12(b)

3. Village/Region Name: _____

To: Navigability Section (920)

From: Land Transfer (960) *pk*

Subject: Navigability Input for Inclusion in Decisions to Issue Conveyance (DIC)
Window No. 2687

Date: 9/19/08

Please provide a statement regarding the presence or absence of navigable water bodies on the lands to be approved for conveyance. The area is highlighted on the attached window map.

1. Village/Region Name: Goodnews Bay (F-14862) 12(a) & (b)

2. Village/Region Name: _____

3. Village/Region Name: _____



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Alaska State Office

222 West Seventh Avenue, #13

Anchorage, Alaska 99513-7504

<http://www.blm.gov/ak>



*3/13/09
C. McNeil
3-13-09
D. Smith*

In Reply Refer To:

F-14862-A (2651) ✓

F-14862-A2 (2651)

F-14862-EE (75.4)

AA-8099-1 (2652)

AA-10118¹ (2653)

AA-70153 (2653)

AA-84417 (2653)

AA-76439 (2627)

AA-76440 (2627)

AA-76448 (2627)

AA-85882 (2920)

(965) cm/ccl/sla

**Goodnews River System
Interim Summary Report
Attachment 35**

MAR 13 2009

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DECISION

Kuitsarak, Incorporated
P.O. Box 10
Goodnews Bay, Alaska 99589-0010

F-14862-A, F-14862-A2
Village Selection Applications

Calista Corporation
Attn: Land Department
301 Calista Court, Suite A
Anchorage, Alaska 99518-3028

AA-10118, AA-10148, AA-11508,
AA-11509, AA-11510, AA-11511,
AA-11512, AA-11513, AA-11634,
AA-11636, AA-70153, AA-84417,
and AA-8099-1
Regional Selection Applications

State of Alaska
Department of Natural Resources
Division of Mining, Land and Water
Realty Services Section
550 West Seventh Avenue, Suite 1050A
Anchorage, Alaska 99501-3579

AA-76439, AA-76440
and AA-76448
State Selection Applications

¹ AA-10118, AA-10148, AA-11508, AA-11509, AA-11510, AA-11511, AA-11512, AA-11513, AA-11634, AA-11636

State Selection Applications Rejected
Regional Selection Applications Rejected
Village Selection Applications Rejected
Lands Proper for Village Selection
Approved for Conveyance

On November 13, 1974 and December 11, 1975, Kuitsarak Incorporated, for the Native village of Goodnews Bay, filed selection applications F-14862-A and F-14862-A2, under the provisions of Secs. 12(a) and 12(b), respectively, of the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), 43 U.S.C. § 1611(a) and (b), for certain lands withdrawn by Sec.11(a)(1) of ANCSA in the vicinity of Goodnews Bay, Alaska.

STATE SELECTION APPLICATIONS REJECTED

On December 31, 1992, the State of Alaska filed selection applications AA-76439, AA-76440 and AA-76448, under the provisions of Sec. 6 of the Alaska Statehood Act of July 7, 1958, Pub. L. 85-508, 72 Stat. 339, as amended, for certain lands near the Native village of Goodnews Bay. Section 6 of the Alaska Statehood Act provides that the State may select vacant, unappropriated, and unreserved public lands in Alaska. The State selection applications describe lands which were validly selected on November 13, 1974 and December 11, 1975, by Goodnews Bay, in village selection applications F-14862-A and F-14862-A2, and are herein approved for conveyance. These lands were not available for selection by the State of Alaska; therefore, the State selection applications are rejected as to the lands described below:

U. S. Survey No. 9995, Alaska

Containing 18.24 acres.

U. S. Survey No. 13739, Alaska

Containing 6.01 acres.

Seward Meridian, Alaska

AA-76439

T. 10 S., R. 71 W.,
 Secs. 7 and 19;
 Sec. 20, lots 1 to 4, inclusive;
 Sec. 21, lots 1 to 8, inclusive;
 Sec. 22, lots 1 to 4, inclusive;
 Sec. 23, lots 1 to 4, inclusive;
 Sec. 24, lots 1 to 4, inclusive;
 Sec. 28;
 Sec. 29, lots 1 and 2;

Sec. 30, lots 1 to 4, inclusive;
 Sec. 31, lots 1 to 4, inclusive;
 Secs. 32 and 33.

Containing approximately 7,663 acres.

AA-76440

T. 10 S., R. 72 W.,
 Secs. 1 and 11;
 Sec. 25, lots 1, 2, and 3.

Containing approximately 1,824 acres.

AA-76448

T. 11 S., R. 72 W.,
 Secs. 11, 14, and 23;
 Secs. 25 to 28, inclusive;
 Sec. 29, lots 1 to 6, inclusive;
 Sec. 32, lots 1 and 2;
 Sec. 36, lots 1 to 4, inclusive.

Containing approximately 5,889 acres.

T. 12 S., R. 72 W.,
 Sec. 3, lots 1 to 4, inclusive;
 Sec. 4;
 Sec. 9; lots 1, 2, 4, 5, 6, 7, 8, 9, 10, and 11.

Containing approximately 1,831 acres.

Aggregating approximately 17,232 acres.

Because the above-described lands were not validly selected by the State of Alaska, the acreage rejected will not be charged against the village corporation's 69,120-acre limitation under Sec. 12(a)(1) of ANCSA as State-selected lands.

Further action on State selection applications AA-76439, AA-76440, and AA-76448 will be taken at a later date.

REGIONAL SECTION 14(h)(1) SELECTION APPLICATION REJECTED

As described in the table below, Calista Corporation filed regional selection applications, respectively, pursuant to Sec. 14(h)(1) of ANCSA, 43 U.S.C. § 1613(h)(1). The lands described in these regional selection applications were previously selected on November 13, 1974 and December 11, 1975 by Kuitsarak Incorporated under Secs. 12(a) and 12(b) of ANCSA and are herein approved for conveyance to Kuitsarak Incorporated.

Application	Date Filed
AA-10118, as amended	October 31, 1975
AA-10148, as amended	October 31, 1975
AA-11508, as amended	June 3, 1976
AA-11509, as amended	June 3, 1976
AA-11510	June 3, 1976
AA-11511	June 3, 1976
AA-11512, as amended	June 3, 1976
AA-11513, as amended	June 3, 1976
AA-11634, amended	June 4, 1976
AA-11636, amended	June 4, 1976

Departmental regulations 43 CFR § 2651.4(d) states that village corporation selections shall be given priority over regional corporation selections for the same lands. Therefore, selection applications described in the table above are hereby rejected as to the lands herein approved for conveyance.

Case files AA-10118, AA-10148, AA-11508, AA-11509, AA-11510, AA-11511, AA-11512, AA-11513, AA-11634, and AA-11636 will be closed of record when this decision becomes final as there are no other lands remaining selected.

REGIONAL SECTION 14(h)(8) SELECTION APPLICATIONS REJECTED

On May 24, 1991 and April 13, 2004, Calista Corporation filed regional selection applications AA-70153 as amended, and AA-84417 pursuant to Sec. 14(h)(8) of ANCSA, 43 U.S.C. § 1613(h)(8). The lands selected were previously selected on November 13, 1974 and December 11, 1975, by Kuitsarak Incorporated under Secs. 12(a) and 12(b) of ANCSA and are herein approved for conveyance to Kuitsarak Incorporated. Departmental regulations 43 CFR § 2653.9 provide that lands available for Sec. 14(h)(8) selection are those lands withdrawn but not conveyed pursuant to Secs. 12(a) and 12(b). Therefore, selection applications AA-70153 and AA-84417 is hereby rejected as to the lands described below, which are a portion of the lands herein approved for conveyance. Further action on case files AA-70153 and AA-84417 as to the lands not rejected herein will be taken at a later date.

Seward Meridian, Alaska

AA-70153

T. 10 S., R. 71 S.,
 Sec. 19; lot 1;
 Sec. 20, lots 1 to 4, inclusive;
 Sec. 21, lots 1 to 8, inclusive;
 Sec. 22, lots 1 to 4, inclusive;
 Sec. 23, lots 1 to 4, inclusive;
 Sec. 24, lots 1 to 4, inclusive;
 Sec. 29, lots 1 and 2;
 Sec. 30, lots 1 to 4, inclusive.

Containing approximately 4,516 acres.

T. 12 S., R. 74 W.,
 Sec. 28.

Containing approximately 198 acres.

AA-84417

T. 10 S., R. 72 W.,
 Secs. 1 and 11.

Containing approximately 1,200 acres.

Aggregating approximately 5,914 acres.

REGIONAL IN LIEU SELECTION APPLICATION REJECTED

Calista Corporation filed subsurface in-lieu selection application AA-8099-1 on December 17, 1975, pursuant to Sec. 12(a)(1) of ANCSA, 43 U.S.C. § 1611(a)(1), as to certain lands in the vicinity of Goodnews Bay.

A portion of the lands described in selection application AA-8099-1 were validly selected by Kuitsarak Incorporated, for the Native village of Goodnews Bay, on December 11, 1975. As provided by Sec. 14(f) of ANCSA, 43 U.S.C. § 1613(f), regional corporations receive title to the subsurface estate in lands conveyed to village corporations. Kuitsarak Incorporated will receive title to the surface estate of a portion of the lands described in AA-8099-1; therefore, in-lieu selection application AA-8099-1 is hereby rejected as to the lands described below. Further action on in-lieu selection application AA-8099-1 as to those lands not rejected herein will be taken at a later date.

Seward Meridian, Alaska

T. 10 S., R. 71 W.,
Sec. 7.

Containing approximately 613 acres.

T. 10 S., R. 72 W.,
Sec. 1.

Containing approximately 560 acres.

Aggregating approximately 1,173 acres.

VILLAGE SECTION 12(b) SELECTION APPLICATION REJECTED

Kuitsarak Incorporated filed selection application F-14862-A2 pursuant to Sec. 12(b) of ANCSA for certain lands previously selected pursuant to Sec. 12(a). Therefore, selection application F-14862-A2 is hereby rejected as to the lands described below, which are a portion of the lands herein approved for conveyance. Further action on case file F-14862-A2 as to the lands not rejected herein will be taken at a later date.

U. S. Survey No. 9995, Alaska

Containing 18.24 acres.

U. S. Survey No. 13739, Alaska

Containing 6.01 acres.

Seward Meridian, Alaska

T. 10 S., R. 71 W.,
Sec. 20, lots 1 to 4, inclusive;
Sec. 21, lots 1 to 8, inclusive;
Sec. 22, lots 1 to 4, inclusive;
Sec. 23, lots 1 to 4, inclusive;
Sec. 24, lots 1 to 4, inclusive;
Sec. 28;
Sec. 30, lots 1 to 4, inclusive;
Sec. 31, lots 1, 2, and 3.

Containing approximately 4,655 acres.

T. 10 S., R. 72 W.,
Sec. 25, lots 1, 2, and 3.

Containing approximately 624 acres.

T. 11 S., R. 72 W.,
Secs. 11, 14, 23, and 26;
Secs. 27 and 28;
Sec. 29, lots 1 to 6, inclusive;
Sec. 32, lots 1 and 2.

Containing approximately 4,712 acres.

T. 12 S., R. 72 W.,
Sec. 1;
Sec. 3, lots 1 to 4, inclusive;
Sec. 4;
Sec. 9, lots 1 to 11, inclusive;
Secs. 11, lots 1 and 2;
Sec. 12, lots 1, 2, and 3;
Sec. 14, lots 1 to 4, inclusive;
Sec. 15, lots 1 to 4, inclusive.

Containing approximately 4,804 acres.

T. 12 S., R. 74 W.,
Sec. 28.

Containing approximately 198 acres.

Aggregating approximately 14,970 acres.

VILLAGE SECTION 12(a) SELECTION APPLICATION REJECTED

Kuitsarak Incorporated filed selection application F-14862-A pursuant to Sec. 12(a) of ANCSA for certain lands previously selected pursuant to Sec. 12(b). Therefore, selection application F-14862-A is hereby rejected as to the lands described below, which are a portion of the lands herein approved for conveyance. Further action on case file F-14862-A as to the lands not rejected herein will be taken at a later date.

Seward Meridian, Alaska

T. 10 S., R. 71 W.,
Sec. 19, lot 1;
Secs. 32 and 33.

Containing approximately 1,865 acres.

LAND APPROVED FOR CONVEYANCE

On December 5, 1979, the Bureau of Indian Affairs, under the authority of the Act of May 17, 1906, as amended, 43 U.S.C. 270-1 to 270-3 (1970), filed Native allotment application AA-37801, Parcel C on behalf of Mary Smith. Parcel C was described as 40 acres of land located in Sec. 10, T. 12 S., R. 72 W., Seward Meridian.

Kuitsarak Incorporated, for the Native village of Goodnews Bay, filed selection application F-14862-A on November 13, 1974 pursuant to Sec. 12(a) of ANCSA, for the surface estate of certain lands withdrawn by Sec. 11(a) of ANCSA, in the vicinity of Goodnews Bay, Alaska, including lands within Sec. 10, T. 12 S., R. 72 W., Seward Meridian.

Interim Conveyance Nos. 885 and 886 were issued to Kuitsarak Incorporated and Calista Corporation on August 30, 1984, for lands within T. 12 S., R. 72 W., Seward Meridian, excluding the original location of Parcel C.

On April 17, 2006, certificate of allotment 50-2006-0194 was issued for Parcel C, surveyed as lot 1, U. S. Survey No. 9632, Alaska, located within Sec. 18, T. 13 S., R. 74 W., Seward Meridian outside the area withdrawn for Goodnews Bay by ANCSA. Therefore, the former location of Native allotment AA-37801, Parcel C is considered available for selection and conveyance under Sec. 12(a) of ANCSA.

As to the lands described below, village selection application F-14862-A and F-14862-A2 are properly filed and meets the requirements of ANCSA and of the regulations issued pursuant thereto. These lands do not include any lawful entry perfected under or being maintained in compliance with laws leading to acquisition of title; neither do they include any submerged lands which passed to the State of Alaska under the Equal Footing Doctrine, U.S. Const. art. IV, § 3, and Sec. 6(m) of the Alaska Statehood Act of July 7, 1958, 72 Stat. 339.

Further, this decision does not make any determination as to the ownership of islands, if any, that have emerged from the bed of a navigable water body on or after the date of statehood, January 3, 1959. Determinations regarding islands that have emerged from the beds of navigable waters on or after January 3, 1959, will be completed prior to patent. If it is determined that the lands herein approved for conveyance contain islands that have emerged from the beds of navigable waters on or after January 3, 1959, such islands will be excluded from the final patent.

In view of the foregoing, the surface estate of the lands described below, selected pursuant to Sec. 12(a) and Sec. 12(b) of ANCSA, aggregating approximately 24,600 acres, is considered proper for acquisition by Kuitsarak Incorporated and is hereby approved for conveyance pursuant to Sec.14(a) of ANCSA:

Section 12(a) Lands

U. S. Survey No. 9995, Alaska

Containing 18.24 acres.

U. S. Survey No. 13739, Alaska

Containing 6.01 acres.

Aggregating approximately 24.25 acres.

Seward Meridian, Alaska

T. 10 S., R. 71 W.,

Sec. 20, excluding lots 1 and 2, U. S. Survey No. 9732;

Sec. 21, excluding U. S. Survey No. 9730;

Secs. 22, 23, 24, and 28;

Sec. 29, excluding lots 1 and 2, U. S. Survey No. 9732;

Sec. 30, excluding U. S. Survey No. 9731;

Secs. 31.

Containing approximately 5,183 acres.

T. 10 S., R. 72 W.,

Sec. 25, excluding U. S. Survey No. 9731.

Containing approximately 624 acres.

T. 11 S., R. 72 W.,

Secs. 11, 14, and 23;

Sec. 26 and 27;

Sec. 28, excluding lot 6, U. S. Survey No. 9695;

Sec. 29, excluding lots 1, 2, and 3, U.S. Survey No. 9694 and excluding lot 1, U. S. Survey No 9695;

Sec. 32, excluding lots 1, 2, and 3, U. S. Survey No. 9693.

Containing approximately 4,712 acres.

T. 12 S., R. 72 W.,
 Secs. 1, 3, and 4;
 Sec. 9, excluding U. S. Survey No. 9538;
 Sec. 10, those lands formerly within Native Allotment Application
 AA-37801, Parcel C;
 Sec. 11, excluding lot 3, U. S. Survey No. 9651;
 Sec. 12;
 Sec. 14, excluding lot 3, U. S. Survey No. 9651;
 Sec. 15, excluding lots 1 and 2, U. S. Survey No. 9651.

Containing approximately 4,844 acres.

T. 12 S., R. 74 W.,
 Sec. 28, excluding lot 3, U. S. Survey No. 9455.

Containing approximately 198 acres.

Aggregating approximately 15,587 acres.

Section 12(b) Lands

Seward Meridian, Alaska

T. 10 S., R. 71 W.,
 Sec. 7;
 Sec. 19, excluding U. S. Survey No. 9731;
 Secs. 32 and 33.

Containing approximately 2,478 acres.

T. 11 S., R. 71 W.,
 Secs. 21, 22, 28, and 29;
 Sec. 30, excluding lot 2, U. S. Survey No. 9721;
 Sec. 31, excluding lots 1 and 2, U. S. Survey No. 9721;
 Sec. 32.

Containing approximately 4,159 acres.

T. 10 S., R. 72 W.,
Sec. 1, excluding U. S. Survey No. 9713;
Sec. 11.

Containing approximately 1,200 acres.

T. 11 S., R. 72 W.,
Sec. 25;
Sec. 36, excluding lot 1, U. S. Survey No. 9721.

Containing approximately 1,176 acres.

Aggregating approximately 9,013 acres.

Total Aggregate of Secs. 12(a) and 12(b) lands is approximately 24,600 acres.

Only uplands are charged against entitlement. Submerged lands, if any, beneath rivers or streams 3 chains (198 feet) wide and wider, lakes 50 acres in size and larger, navigable water bodies of lesser size, and lands covered by tidal waters up to the line of mean high tide are excluded from the acreage charge, as provided by Sec. 901 of the Alaska National Interest Lands Conservation Act of December 2, 1980, as amended by the Act of August 16, 1988, 43 U.S.C. § 1631. The submerged lands will be identified at the time of survey and the acreage charge adjusted accordingly.

Within the lands herein approved for conveyance, only the following water bodies have been determined to be navigable:

Slate Creek to Olympic Creek, Goodnews River, Middle Fork Goodnews River,
and South Fork Goodnews River

All other named and unnamed water bodies within the lands approved for conveyance were reviewed, and were determined to be non-navigable based on existing evidence.

The conveyance issued for the surface estate of the lands described above shall contain the following reservations to the United States:

1. The subsurface estate therein, and all rights, privileges, immunities, and appurtenances, of whatsoever nature, accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1613(f);
and

2. Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1616(b) (1976), the following public easements, referenced by Easement Identification Number (EIN) on the easement maps, copies of which can be found in the Bureau of Land Management's public land records, are reserved to the United States. All easements are subject to applicable Federal, State, or Municipal corporation regulation. The following is a listing of uses allowed for each type of easement. Any uses which are not specifically listed are prohibited.

25 Foot Trail - The uses allowed on a twenty-five (25) foot wide trail easement are: travel by foot, dogsleds, animals, snowmobiles, two- and three-wheeled vehicles, and small all-terrain vehicles (ATV's) (less than 3,000 lbs. Gross Vehicle Weight (GVW)).

50 Foot Trail - The uses allowed on a fifty (50) foot wide trail easement are: travel by foot, dogsleds, animals, snowmobiles, two- and three-wheeled vehicles, small and large all-terrain vehicles (ATV's), tracked vehicles, and four-wheel-drive vehicles.

One Acre Site - The uses allowed on a site easement are: vehicle parking (e.g., aircraft, boats, all-terrain vehicles (ATV's), snowmobiles, cars, trucks), temporary camping, and loading or unloading. Temporary camping, loading, or unloading shall be limited to 24 hours.

(EIN 4 C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from the village of Goodnews Bay in Sec. 21, T. 12 S., R. 73 W., Seward Meridian, northeasterly, generally paralleling the Goodnews River, to public lands in Sec. 16, T. 10 S., R. 71 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to winter.

(EIN 6 C4, D9) A one (1) acre site easement upland of the ordinary high water mark in Sec. 22, T. 10 S., R. 71 W., Seward Meridian, Alaska, on the right bank of the Goodnews River. The uses allowed are those listed above for a one (1) acre site.

(EIN 6a C4, D9) An easement fifty (50) feet in width for a proposed access trail from site EIN 6 C4, D9 in Sec. 22, T. 10 S., R. 71 W., Seward Meridian, Alaska, northwesterly, to trail EIN 4 C3, C4, D1, D9 in Sec. 15, T. 10 S., R. 71 W., Seward Meridian, Alaska. The uses allowed are those listed above for a fifty (50) foot wide trail easement.

(EIN 15 C4, D1) A one (1) acre site easement upland of the ordinary high water mark in Sec. 23, T. 10 S., R. 71 W., Seward Meridian, on the left bank of the Goodnews River. The uses allowed are those listed above for a one (1) acre site.

(EIN 15a C4, D1) An easement twenty-five (25) feet in width for a proposed access trail from site EIN 15 C4, D1 in Sec. 23, T. 10 S., R. 71 W., Seward Meridian, south, to public lands.

(EIN 18, C5, D1) A one acre site easement upland of the ordinary high water along the southeastern portion of an island in the Goodnews River in the N ½ Section 29, T. 11 S., R. 72 W., Seward Meridian. This site easement will be located so as to not conflict with Native allotment F-15949B. The uses allowed are those listed in the Easement Memorandum of June 22, 1983, for a one (1) acre site.

(EIN 19, C5, D1) A one acre site easement upland of the ordinary high water along the right bank of the Middle Fork of the Goodnews River in the N1/2 Section 3, T. 12 S., R. 72 W., Seward Meridian. The uses allowed are those listed in the Easement Memorandum of June 22, 1983, for a one (1) acre site.

(EIN 22 D1) An easement twenty-five (25) feet in width for proposed access trail from EIN 4 C3 C4 D1 D9 in Sec 25, T. 10 S., R. 72 W., SM., northerly to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

The grant of the above-described lands shall be subject to:

1. Issuance of a patent confirming the boundary description and acreage of the lands hereinabove granted; and in accordance with a determination as to those islands, if any, that emerged from the bed of a navigable water body on or after January 3, 1959;
2. Valid existing rights therein, if any, including but not limited to those created by any lease, contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), 43 U.S.C. § 1616(b)(2) (1976), any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law; and
3. Requirements of Sec. 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1613(c), as amended, that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section.

Fish weir permit AA-85882, located within Sec. 3, T. 12 S., R. 72 W., Seward Meridian, was issued to the State of Alaska on September 19, 2008, pursuant to Section 302 of the Federal Land Policy and Management Act of October 21, 1976, as amended, 43 U.S.C. § 1732. According to the terms of the permit, it will expire on the date the lands are transferred out of Federal ownership.

CONVEYANCE OF SUBSURFACE ESTATE

Pursuant to Sec. 14(f) of ANCSA, 43 U.S.C. § 1613(f), and Departmental regulation 43 CFR § 2652.4, conveyance of the subsurface estate shall be issued to Calista Corporation when the surface estate is conveyed to Kuitsarak Incorporated, and shall be subject to the same conditions as the surface conveyance, except for those provisions under Sec. 14(c) of ANCSA; also the right to explore, develop, or remove minerals from the subsurface estate in lands within the boundaries of the Native village Goodnews Bay of shall be subject to the consent of Kuitsarak Incorporated.

SURFACE ESTATE ENTITLEMENT SUMMARY

Kuitsarak Incorporated, for the Native village of Goodnews Bay, is entitled to conveyance of 115,200 acres of land selected pursuant to Sec. 12(a) and 9,600 acres of land selected pursuant to Sec. 12(b) of ANCSA. Together with the lands herein approved, the total acreage conveyed or approved for conveyance pursuant to Sec. 12(a) is approximately 15,587 acres and the total acreage conveyed or approved for conveyance pursuant to Sec. 12(b) is approximately 9,013 acres. The remaining entitlement of approximately 475 acres pursuant to Sec. 12(a) and approximately 587 acres pursuant to Sec. 12(b) will be conveyed at a later date.

GENERAL INFORMATION

Enclosed are current status plats showing the lands approved for conveyance, along with maps showing the easements to be reserved.

In accordance with Departmental regulation 43 CFR § 2650.7(d), notice of this decision has been published once in the Federal Register and once a week for four (4) consecutive weeks in the Tundra Drums.

APPEAL PROVISIONS

A Federal agency, a regional corporation, or any party claiming a property interest in lands affected by this decision may appeal the decision to the Interior Board of Land Appeals, Office of Hearings and Appeals. See DOI Form 1842-1 and 43 CFR Part 4, enclosed, for instructions.

The time limits for filing an appeal are:

1. Parties receiving service of this decision by personal service or certified mail, return receipt requested, shall have thirty days from receipt of this decision to file an appeal.
2. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, parties who failed or refused to sign their return receipt, and parties who received a copy of this decision by regular mail which is not certified, return receipt requested, shall have until ~~APR 13 2009~~ to file an appeal.

The appellant has the burden of showing that the decision appealed from is in error. Failure to file the notice of appeal with the Bureau within the time allowed will result in dismissal of the appeal. In order to avoid dismissal of the appeal, there must be strict compliance with the regulations.

Navigability determinations may not be appealed to the Interior Board of Land Appeals, but may be taken to a court of competent jurisdiction, pursuant to Sec. 901 of ANILCA, as amended, 43 U.S.C. § 1631.

/s/ Charmain McMillan

Charmain McMillan
Land Law Examiner
Land Transfer Adjudication II

Enclosures:

Form 1842-1

Appeal regulations

Plats

Maps

Acreage Calculation Spreadsheet

Copy furnished to:

State of Alaska (CM-RRR)
Department of Fish and Game
Division of Sport Fish
ATTN: Ellen Simpson
333 Raspberry Road
Anchorage, Alaska 99518-1599
(w/plats and maps)

State of Alaska
 Department of Transportation and Public Facilities
 ATTN: Chief, Right-of-Way Branch
 Central Region
 4111 Aviation Avenue
 Anchorage, Alaska 99502-1058
 (w/plats and maps)

State of Alaska
 Department of Fish and Game
 Attn: John Linderman
 P. O. Box 1467
 Bethel, Alaska 99559
 (w/plats and maps)

Federal Aviation Administration
 ATTN: Acquisition & Real Estate Branch, AAL-59RE
 222 West Seventh Avenue, #14
 Anchorage, Alaska 99513-7587
 (w/plats and maps)

United States Coast Guard
 Commander (s)
 MLC Pacific
 1301 Clay Street, Suite 700N
 Oakland, California 94612-5203
 (w/plats and maps)

United States Coast Guard
 Commander (DPR)
 17th Coast Guard District
 P.O. Box 25517
 Juneau, Alaska 99801-5517
 (w/plats and maps)

FM - Anchorage (011)

ANCSA Acreage Control (965)

Escrow (962)

Pat Moreno (961)

Becky Johnson, State Coordinator (965)

Dina Torres (962)

SENDER: COMPLETE THIS SECTION	
1. Article Addressed to: Kuitsarak, Incorporated P.O. Box 10 Goodnews Bay, Alaska 99589-0010 F-14862-A (2651) (965) cm/	
2. Article Number (Transfer from service label) PS Form 3811, February 2004 Domestic Return Receipt 7007 2560 0000 2957 8534 102595-02-M-1540	
3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> C.O.D.	
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
MAR 13 2009	
A. Signature B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from item 1? If YES, enter delivery address below:	
X <i>James K. Roberts</i> B. <i>JAMES K. ROBERTS</i> C. <i>3-17-09</i> D. <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
COMPLETE THIS SECTION ON DELIVERY	

**Goodnews River System
Interim Summary Report
Attachment 36**

The United States of America

Interim Conveyance

F-14862-A
F-14862-A2

This interim conveyance is issued by the UNITED STATES, Department of the Interior, Bureau of Land Management, 222 West Seventh Avenue, #13, Anchorage, Alaska 99513-7504, as GRANTOR, to Kuitsarak Incorporated, P. O. Box 10, Goodnews Bay, Alaska 99589-0010, as GRANTEE, for lands in the Bethel Recording District.

WHEREAS

Kuitsarak Incorporated

is entitled to a conveyance pursuant to Secs. 14(a) of the Alaska Native Claims Settlement Act of December 18, 1971, as amended, 43 U.S.C. § 1613(a), of the surface estate in the following-described lands:

Section 12(a) Lands

U. S. Survey No. 9995, Alaska

Containing 18.24 acres.

U. S. Survey No. 13739, Alaska

Containing 6.01 acres.

Aggregating 24.25 acres.

Seward Meridian, Alaska

T. 10 S., R. 71 W.,
Sec. 20, excluding lots 1 and 2, U. S. Survey No. 9732;
Sec. 21, excluding U. S. Survey No. 9730;
Secs. 22, 23, 24, and 28;
Sec. 29, excluding lots 1 and 2, U. S. Survey No. 9732;
Sec. 30, excluding U. S. Survey No. 9731;
Secs. 31.

Containing approximately 5,183 acres.

T. 10 S., R. 72 W.,
Sec. 25, excluding U. S. Survey No. 9731.

Containing approximately 624 acres.

T. 11 S., R. 72 W.,
Secs. 11, 14, and 23;
Sec. 26 and 27;
Sec. 28, excluding lot 6, U. S. Survey No. 9695;
Sec. 29, excluding lots 1, 2, and 3, U.S. Survey No. 9694 and
excluding lot 1, U. S. Survey No 9695;
Sec. 32, excluding lots 1, 2, and 3, U. S. Survey No. 9693.

Containing approximately 4,712 acres.

T. 12 S., R. 72 W.,
Secs. 1, 3, and 4;
Sec. 9, excluding U. S. Survey No. 9538;
Sec. 10, those lands formerly within Native Allotment Application
AA-37801, Parcel C;
Sec. 11, excluding lot 3, U. S. Survey No. 9651;
Sec. 12;
Sec. 14, excluding lot 3, U. S. Survey No. 9651;
Sec. 15, excluding lots 1 and 2, U. S. Survey No. 9651.

Containing approximately 4,844 acres.

T. 12 S., R. 74 W.,
Sec. 28, excluding lot 3, U. S. Survey No. 9455.

Containing approximately 198 acres.

Aggregating approximately 15,587 acres.

Section 12(b) Lands

Seward Meridian, Alaska

T. 10 S., R. 71 W.,
Sec. 7;
Sec. 19, excluding U. S. Survey No. 9731;
Secs. 32 and 33.

Containing approximately 2,478 acres.

T. 11 S., R. 71 W.,
Secs. 21, 22, 28, and 29;
Sec. 30, excluding lot 2, U. S. Survey No. 9721;
Sec. 31, excluding lots 1 and 2, U. S. Survey No. 9721;
Sec. 32.

Containing approximately 4,159 acres.

T. 10 S., R. 72 W.,
Sec. 1, excluding U. S. Survey No. 9713;
Sec. 11.

Containing approximately 1,200 acres.

T. 11 S., R. 72 W.,
Sec. 25;
Sec. 36, excluding lot 1, U. S. Survey No. 9721.

Containing approximately 1,176 acres.

Aggregating approximately 9,013 acres.

Total Aggregate of Secs. 12(a) and 12(b) lands is approximately 24,600 acres.

Interim Conveyance No. 2211

Excluded from the above-described lands herein conveyed are islands that have emerged from the beds of navigable waters on or after January 3, 1959, if any, which passed to the State of Alaska under the Equal Footing Doctrine, U.S. Const. art. IV, § 3, and Sec. 6(m) of the Alaska Statehood Act of July 7, 1958, 72 Stat. 339.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES OF AMERICA, unto the above-named corporation the surface estate in the lands above described; TO HAVE AND TO HOLD the said estate with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said corporation, its successors and assigns, forever.

EXCEPTING AND RESERVING TO THE UNITED STATES from the lands so granted:

1. The subsurface estate therein, and all rights, privileges, immunities, and appurtenances, of whatsoever nature, accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1613(f); and
2. Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1616(b) (1976), the following public easements, referenced by Easement Identification Number (EIN) on the easement maps, copies of which can be found in the Bureau of Land Management's public land records, are reserved to the United States. All easements are subject to applicable Federal, State, or Municipal corporation regulation. The following is a listing of uses allowed for each type of easement. Any uses which are not specifically listed are prohibited.

25 Foot Trail - The uses allowed on a twenty-five (25) foot wide trail easement are: travel by foot, dogsleds, animals, snowmobiles, two- and three-wheeled vehicles, and small all-terrain vehicles (ATV's) (less than 3,000 lbs. Gross Vehicle Weight (GVW)).

50 Foot Trail - The uses allowed on a fifty (50) foot wide trail easement are: travel by foot, dogsleds, animals, snowmobiles, two- and three-wheeled vehicles, small and large all-terrain vehicles (ATV's), tracked vehicles, and four-wheel-drive vehicles.

One Acre Site - The uses allowed on a site easement are: vehicle parking (e.g., aircraft, boats, all-terrain vehicles (ATV's), snowmobiles, cars, trucks), temporary camping, and loading or unloading. Temporary camping, loading, or unloading shall be limited to 24 hours.

(EIN 4 C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from the village of Goodnews Bay in Sec. 21, T. 12 S., R. 73 W., Seward Meridian, northeasterly, generally paralleling the Goodnews River, to public lands in Sec. 16, T. 10 S., R. 71 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to winter.

(EIN 6 C4, D9) A one (1) acre site easement upland of the ordinary high water mark in Sec. 22, T. 10 S., R. 71 W., Seward Meridian, Alaska, on the right bank of the Goodnews River. The uses allowed are those listed above for a one (1) acre site.

(EIN 6a C4, D9) An easement fifty (50) feet in width for a proposed access trail from site EIN 6 C4, D9 in Sec. 22, T. 10 S., R. 71 W., Seward Meridian, Alaska, northwesterly, to trail EIN 4 C3, C4, D1, D9 in Sec. 15, T. 10 S., R. 71 W., Seward Meridian, Alaska. The uses allowed are those listed above for a fifty (50) foot wide trail easement.

(EIN 15 C4, D1) A one (1) acre site easement upland of the ordinary high water mark in Sec. 23, T. 10 S., R. 71 W., Seward Meridian, on the left bank of the Goodnews River. The uses allowed are those listed above for a one (1) acre site.

(EIN 15a C4, D1) An easement twenty-five (25) feet in width for a proposed access trail from site EIN 15 C4, D1 in Sec. 23, T. 10 S., R. 71 W., Seward Meridian, south, to public lands.

(EIN 18, C5, D1) A one acre site easement upland of the ordinary high water along the southeastern portion of an island in the Goodnews River in the N ½ Section 29, T. 11 S., R. 72 W., Seward Meridian. This site easement will be located so as to not conflict with Native allotment F-15949B. The uses allowed are those listed in the Easement Memorandum of June 22, 1983, for a one (1) acre site.

(EIN 19, C5, D1) A one acre site easement upland of the ordinary high water along the right bank of the Middle Fork of the Goodnews River in the N1/2 Section 3, T. 12 S., R. 72 W., Seward Meridian. The uses allowed are those listed in the Easement Memorandum of June 22, 1983, for a one (1) acre site.

(EIN 22 D1) An easement twenty-five (25) feet in width for proposed access trail from EIN 4 C3 C4 D1 D9 in Sec 25, T. 10 S., R. 72 W., SM., northerly to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

THE GRANT OF THE ABOVE-DESCRIBED LANDS IS SUBJECT TO:

1. Issuance of a patent confirming the boundary description and acreage of the lands hereinabove granted; and in accordance with a determination as those islands, if any, that emerged from the bed of a navigable water body on or after January 3, 1959;
2. Valid existing rights therein, if any, including but not limited to those created by any lease, contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), 43 U.S.C. § 1616(b)(2) (1976), any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law; and
3. Requirements of Sec. 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1613(c), as amended, that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section.

IN WITNESS WHEREOF, the undersigned authorized officer of the Bureau of Land Management has, in the name of the United States, set his hand and caused the seal of the Bureau to be hereunto affixed on this 13th day of April, 2009, in Anchorage, Alaska.

UNITED STATES OF AMERICA

/s/ Richard Thwaites

Richard Thwaites
Chief, Land Transfer Adjudication II

Location Index for Recording Information:
USS 9995: Sec. 20, T. 10 S., R. 71 W., and
USS 13739: Sec. 31, T. 10 S., R. 71 W., SM

Return Recorded Document to:

Interim Conveyance No. _____

2211

Page 7 of 7

The United States of America

Interim Conveyance

F-14862-A
F-14862-A2

This interim conveyance is issued by the UNITED STATES, Department of the Interior, Bureau of Land Management, 222 West Seventh Avenue, #13, Anchorage, Alaska 99513-7504, as GRANTOR, to Calista Corporation, 301 Calista Court, Suite A, Anchorage, Alaska 99518-3028 as GRANTEE, for lands in the Bethel Recording District.

WHEREAS

Calista Corporation

is entitled to a conveyance pursuant to Secs. 14(f) of the Alaska Native Claims Settlement Act of December 18, 1971, as amended, 43 U.S.C. § 1613(f), of the subsurface estate reserved to the United States in the hereinbelow-identified interim conveyance of the surface estate in the following-described lands:

Interim Conveyance No. **2211**

Section 12(a) Lands

U. S. Survey No. 9995, Alaska

Containing 18.24 acres.

U. S. Survey No. 13739, Alaska

Containing 6.01 acres.

Aggregating 24.25 acres.

Interim Conveyance No. **2212**

Seward Meridian, Alaska

T. 10 S., R. 71 W.,
Sec. 20, excluding lots 1 and 2, U. S. Survey No. 9732;
Sec. 21, excluding U. S. Survey No. 9730;
Secs. 22, 23, 24, and 28;
Sec. 29, excluding lots 1 and 2, U. S. Survey No. 9732;
Sec. 30, excluding U. S. Survey No. 9731;
Secs. 31.

Containing approximately 5,183 acres.

T. 10 S., R. 72 W.,
Sec. 25, excluding U. S. Survey No. 9731.

Containing approximately 624 acres.

T. 11 S., R. 72 W.,
Secs. 11, 14, and 23;
Sec. 26 and 27;
Sec. 28, excluding lot 6, U. S. Survey No. 9695;
Sec. 29, excluding lots 1, 2, and 3, U.S. Survey No. 9694 and
excluding lot 1, U. S. Survey No 9695;
Sec. 32, excluding lots 1, 2, and 3, U. S. Survey No. 9693.

Containing approximately 4,712 acres.

T. 12 S., R. 72 W.,
Secs. 1, 3, and 4;
Sec. 9, excluding U. S. Survey No. 9538;
Sec. 10, those lands formerly within Native Allotment Application
AA-37801, Parcel C;
Sec. 11, excluding lot 3, U. S. Survey No. 9651;
Sec. 12;
Sec. 14, excluding lot 3, U. S. Survey No. 9651;
Sec. 15, excluding lots 1 and 2, U. S. Survey No. 9651.

Containing approximately 4,844 acres.

T. 12 S., R. 74 W.,
Sec. 28, excluding lot 3, U. S. Survey No. 9455.

Containing approximately 198 acres.

Aggregating approximately 15,587 acres.

Section 12(b) Lands

Seward Meridian, Alaska

T. 10 S., R. 71 W.,
Sec. 7;
Sec. 19, excluding U. S. Survey No. 9731;
Secs. 32 and 33.

Containing approximately 2,478 acres.

T. 11 S., R. 71 W.,
Secs. 21, 22, 28, and 29;
Sec. 30, excluding lot 2, U. S. Survey No. 9721;
Sec. 31, excluding lots 1 and 2, U. S. Survey No. 9721;
Sec. 32.

Containing approximately 4,159 acres.

T. 10 S., R. 72 W.,
Sec. 1, excluding U. S. Survey No. 9713;
Sec. 11.

Containing approximately 1,200 acres.

T. 11 S., R. 72 W.,
Sec. 25;
Sec. 36, excluding lot 1, U. S. Survey No. 9721.

Containing approximately 1,176 acres.

Aggregating approximately 9,013 acres.

Total Aggregate of Secs. 12(a) and 12(b) lands is approximately 24,600 acres.

Excluded from the above-described lands herein conveyed are islands that have emerged from the beds of navigable waters on or after January 3, 1959, if any, which passed to the State of Alaska under the Equal Footing Doctrine, U.S. Const. art. IV, § 3, and Sec. 6(m) of the Alaska Statehood Act of July 7, 1958, 72 Stat. 339.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES OF AMERICA, unto the above-named corporation the subsurface estate in the lands above described; TO HAVE AND TO HOLD the said estate, with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said corporation, its successors and assigns, forever.

THE GRANT OF THE ABOVE-DESCRIBED LANDS IS SUBJECT TO:

1. Issuance of a patent confirmation the boundary description and acreage of the lands hereinabove granted;
2. All the easements and rights-of-way referenced in the aforementioned conveyance of the surface estate, and to valid existing rights therein, if any, in the said subsurface estate, including but not limited to those created by any lease, contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him; and
3. Requirements of Sec. 14(f) of the Alaska Native Claims Settlement Act, 43 U.S.C. § 1613(f), that the right to explore, develop, or remove minerals from the subsurface estate in the lands herein conveyed which are within the boundaries of the Native village of Goodnews Bay shall be subject to the consent of Kuitsarak Incorporated.

IN WITNESS WHEREOF, the undersigned authorized officer of the Bureau of Land Management has, in the name of the United States, set his hand and caused the seal of the Bureau to be hereunto affixed on this 13th day of April, 2009, in Anchorage, Alaska.

UNITED STATES OF AMERICA

/s/ Richard Thwaites

Richard Thwaites
Chief, Land Transfer Adjudication II

Location Index for Recording Information:
USS 9995: Sec. 20, T. 10 S., R. 71 W., and
USS 13739: Sec. 31, T. 10 S., R. 71 W., SM

Return Recorded Document to:

Interim Conveyance No. 2212



United States Department of the Interior

IN REPLY REFER TO

BUREAU OF LAND MANAGEMENT

Alaska State Office
701 C Street, Box 13
Anchorage, Alaska 99513

Goodnews Bay-FY'87-#1
Hagemeister Island-FY'87-#1
Kuskokwim Bay-FY'87-#1
(961)

NOV 21 1986

Memorandum

To: File F-14862-EE
From: Realty Specialist

Goodnews River System
Interim Summary Report
Attachment 37

Subject: Interviews for Group Survey No. 194 (Window 1704)

November 4, 1986.

Keith Schultz (543-2433) is a biologist with the Alaska Department of Fish and Game in Bethel that knows the Goodnews River. He spends time each summer traveling up the Goodnews River. In referring to the Indian River or the Kinegnak River he had no experience.

Keith had floated the north fork Goodnews River from the lake and its origin. He described this fork as having the most water and resident boater use of the three Goodnews River forks. He had also taken an eighteen-foot Gregor boat with a thirty-five horsepower outboard upstream to the start of Federal land in T. 10 S., R. 71 W., SM. This is where Alaska River Safari has one of its summer camps. He said that AK River Safari is a large operation with ten eighteen-foot Klamith skiffs with fifty-five horsepower jets, a twenty-two-foot Monarch with a fifty-five horsepower jet, and a big air boat. AK River Safari regularly hauls its clients upstream to float and fish down the Wilderness portion of the Togiak National Wildlife Refuge or camp at their motorized camps. He said that the local boaters regularly travel to the refuge which is upstream of the report area. To reach the refuge with a propellered-motor the operator would have to be familiar with the numerous braids to properly select the channel of sufficient summer depth for BLM's craft. The water was the highest and widest in the spring and the lowest in July, but Keith estimated the average to be one-hundred and fifty feet wide and seventy inches deep in T. 10 S., R. 71 W., SM. Since Keith had regularly taken BLM's smallest commercial craft upstream for this distance during different times each summer, he knew it was possible with a propeller and a thousand pound load. AK River Safari frequently exceeded this load with their clients and gear.

In 1981 the ADF+G set up a weir tower to count salmon on the Middle Fork Goodnews River. It is located twelve miles upstream at the base of Table Mountain in Sec. 3, T. 12 S., R. 72 W., SM. During the first summer they operated eighteen-foot skiffs with thirty-five horsepower propellered motors. To regularly reach their tower, three shallow spots were crossed. He reported these shallow spots to be thirty to forty inches deep. In 1981 these boats and motors were used all summer to haul supplies, the tower, building material, and equipment to their salmon weir. Since 1982, ADF+G has used eighteen foot boats with jet units to reach their camp. Since the local boaters rarely use the Middle Fork, Keith could report an average of only three resident boaters to travel upstream beyond their tower during the summer. He did remember one Native with an allotment claim three miles upstream from the tower who regularly used an eighteen-foot skiff with a fifteen horsepower propellered motor to reach his claim. In recent years the Middle Fork Goodnews River has become popular for sportfishing guides and their clients. AK River Safari has established a camp just below their tower site. Keith thought the name of another guide was the Bristol Bay Coastal Guiding Service. The Togiak National Wildlife Refuge staff had issued them a permit, and could verify their name. Their camp was located near Sec. 3, T. 11 S., R. 70 W., SM which is in the Ahklun Mountains and beyond the report area. Keith had taken an eighteen foot riverboat with a jet unit upstream to Tigukauivet Mountain and their camp during the summer and believed it could be done at any time of the summer with a propeller and a thousand pounds. He felt it might be necessary to install a lift on his outboard to get over the increasing number of shallow spots to reach their upper camp.

Keith said the South Fork Goodnews River was slow moving and free of split channels, and its beds were mud. This was a different character than the other forks with faster water, braided channels and a gravel bottom. During the summer he had taken his personal eighteen-foot Gregor boat with a thirty-five horsepower propellered motor upstream to Lookout Mountain or Sec. 13, T. 12 S., R. 72 W., SM. He described the stream as being 50 to 70 feet wide and 30 to 50 inches deep. He also believed BLM's commercial load could be taken upstream for this distance. He had not seen any other boats on the South Fork during the time he has spent fishing there.

It was difficult to even enter the Goodnews River system at low tide because of the tidal flats. However, Puyulik Creek would be impossible since it was just a trickle when the tide was out. Keith did not know how far a high tide might permit BLM's boat, and he was not aware of anyone using BLM's smallest commercial boat on this stream.

Keith frequently passes Carter Bay, but he had never taken his boat on the Indian River. From his aerial reconnaissance he believed it might be navigable in its lower reaches in the early spring or late fall. He knew this was not a popular area. Resident boaters referred to the old abandoned cabin near the mouth of the Indian River as being haunted.

The resident boaters of Platinum travel only a short distance up the Small's River. They commonly park their boats near the mouth for the summer. In the fall they only travel upstream to the village to store their boats for the winter. At low tide the river simply does not have enough water. Last fall Keith took his three-wheeler up the road from Platinum and described the Small's River in Sec. 11, T. 14 S., R. 75 W., SM to be less than knee deep. The reason they call it the Small's River is because of its low volume and narrow nature. He did not believe BLM's smallest craft with a thousand pounds could be taken up Small's River. It might be possible to take a jet boat up this river on the spring high water.

Keith said that Chagvan Bay is a popular spot for resident boaters during the fall duck hunting. It was not possible to get to Kinegnak River when the tide was out. Keith knew that the old village site of Kinegnak was abandoned from having taken his his boat into Chagvan Bay for the fall hunting. He had never been to the mouth of this river but he did not believe it was navigable because of lack of water in the bay at low tide. He knew of no boating on this river and did not believe it was possible. The local three wheelers from Platinum access the river in T. 14-15 S., R. 74 W., SM, from the three wheeler trail off the Goodnews Mining Camp road.

Keith described Slate Creek as being 30 to 40 feet wide and 30 to 40 inches deep. The old post master of Goodnews still operates the Wattamuse mine during the summer. His name is Huffman and he leaves his eighteen foot riverboat with a twenty-five horsepower jet near the mouth of Slate Creek and walks to the mine from there. The local law enforcement boaters stop to check on him each summer. Keith said that there is also an old cat trail to Wattamuse Mime that was used to haul supplies to the mine. He was not aware of anyone using Slate Creek by boat other than Huffman, who lived out there and parked at its mouth.

Keith recommended I contact Willie Eechuck (979-8127) of Platinum or James Bright (967-8515) of Goodnews for additional information. He requested that he be called if we research the Arolik River near Quinhagak. The Native council of Quinhagak would like a chance to comment, and he is aware of their names.

November 5, 1986.

Joseph Martin Sr.. (967-8511) is a Native land planner for Kuitsaruk Inc.. or Goodnews Bay Village. He said that his grandparents use to take eighteen to twenty-four-foot boats up to Wattamuse Creek on the north fork Goodnews River in the olden days because of the mine there. It is important to realize that the resident boaters referred to Slate Creek as Wattamuse Creek as well. He was unsure how the equipment was brought up to Wattamuse Mine. Joseph said that he takes his twenty-four-foot boat with a thirty-five to fifty horsepower propellered motor up the north fork to the refuge at least once each season. He knew that jet boats were used by guides further upstream, but felt the depth was sufficient for BLM's smallest commercial boat with a thousand pound load to be taken through the report area. Since Joseph felt unable to provide me with the physical character of the Goodnews River, he used his CB radio to call his neighbor Battle Amerit over. Battle is a shareholder of the tribal council and felt more comfortable with the english language. Joseph said that the jet boats used by Alaska River Safari were going to ruin the fishing by destroying the fish eggs in the riverbed. He said the jet boat were navigating the Goodnews River in only a foot of water.

Battle felt that Indian River was just a creek and could provide no means of travel by boat. This river would be too shallow for BLM's smallest commercial boat unless you travel up it in the spring.

Battle said that he had taken an eighteen foot skiff with a propeller all the way up to the lake on the Goodnews River after the heavy rains of fall. He believed it would be possible with a thousand pound load after a few days rain in the fall. However, he said that there were dry years when it would not be possible to go even 1/2 up to the lake with BLM's propellered craft and a thousand pound load. He felt the river depth was too inconsistent to give an average depth.

Battle said he had never been on the Middle Fork Goodnews River in the summer. After some discussion I found out that he is a commercial fisherman in the summer and is not in the area to travel up the Goodnews River. He suggested that I contact William Carter who works in the Goodnews Village community hall.

Willie Eechuck (979-8127) is a Native of Platinum that has boating experience in the area. He had been to the Indian River back in 1961 or 1962 in his old wooden 19 to 20 foot riverboat with a propeller equipped outboard. He knew it would only be possible to get across the mud flats of Carter Bay if it were high tide. Once he got into the Indian River he only went about a quarter of a mile and remembered the mud beds of the river. He knew BLM's boat could go upstream beyond this distance because every fall resident boaters camp on the river and hunt. He said that Bob LaMerik (967-8214) of Goodnews regularly takes his boat to the Indian River each fall.

Willie said that the north fork or main Goodnews River was the primary fork of all the resident travel by boat. He felt it was common for resident boaters to travel all the way to Goodnews Lake. Willie had personally taken his eighteen-foot Lund with a propellered eighteen horsepower motor all the way to the lake which is well beyond the report area. He said that there was a canyon about five miles upstream from Wattamuse/Slate Creek. At low water this canyon is the swiftness part of the river with a big rock in the channel. The number of rocks increases above the canyon at low water. He said that this area would require a larger fifty horsepower motor. Since the river varies each season according to the rains it is not always possible to reach the lake. For example, two years ago it was a dry season and he estimated that it would take eighteen hours to reach the lake unless you had a jet boat. The farthest he had been two years ago was just below Wattamuse/Slate Creek in Sec. 20, T. 10 S., R. 71 W., SM. He said to continue would mean tearing up propellers. Although jet boats can be taken all the way to the lake with little regard to the water level. Willie described the upper river in T. 10 S., R. 71 W., SM as being thirty to forty feet wide and three to five feet deep. This fall the heavy rains have raised the river and it would be possible to take BLM's smallest commercial craft with a thousand pound load and powered by a propeller all the way to the lake from Platinum in just a few hours.

Six years ago Willie took his old wooden nineteen to twenty-foot boat with a propeller about seven to eight miles up the Middle Fork Goodnews River before he remembered hitting bottom. Since his eighteen foot Lund is much lighter he felt he could now go at least ten to twelve miles with his propellered outboard and a thousand pounds and maybe more. He said that the resident boaters do use the Middle Fork for bear and moose hunting in the fall. Resident boaters walk their boat through the shallow areas with a thousand pounds to continue upstream beyond the twelve miles when the water level is low. However, even the shallow areas would not be a problem for a jet boat.

Willie had never been on the South Fork Goodnews River but he had flown over it and felt that he could take his eighteen-foot Lund, but he was again unsure how far.

Willie said that Puyulik Creek is too shallow and full of trees for BLM's smallest commercial boat or any boat.

Willie said that the Small's River is too shallow and narrow to even use a Kayak. Since he lives at Platinum which is located at the mouth of the Small's River there is no question about it, this river is just a foot deep.

Willie has taken his eighteen-foot Lund a quarter of a mile up the Kinegnak River in Chagvan Bay and described it to be only a foot deep. In order to even get to the mouth there must be a high tide. Since Chagvan Bay is nothing but a large sand and mud flat when the tide is out. Willie thought it might be possible to drag a raft up this stream and float down, but there was not enough water for his eighteen-foot Lund or BLM's smallest commercial craft. He said that a person could walk all the way up the bed of this stream. The old village site of Kinegnak near the mouth of this stream has been abandoned for a long time.

Willie said that Wattamuse/Slate Creeks were just trickles that flow out of the mountains like a lot of the so called rivers in the Goodnews area. Although the USGS quadrangle refers to a lot of the streams in the area as rivers, they simply do not provide any means of travel by boat. Although Wattamuse has a history of early riverboats' being taken up the Goodnews River to Slate Creek there would not be enough water for any propellered craft to power a boat up to the old mine on Wattamuse Creek. He said that it might be possible to walk up a boat up this creek but he was not sure. He said that there was an old road leading to the mining camp that they must have used in the olden days to haul equipment or supplies to the mine.

November 6, 1986.

James Bright is a Native of Goodnews village (967-8515). Although he was familiar with the water bodies in the area he did not want to help a gussik and referred me to the Goodnews Village Council. He said he had taken BLM's smallest commercial craft with a propeller up the Indian River. He felt it would be possible to travel up this river at least ten miles in a jet boat. Once in a while he takes his propellered craft up this river but there must be a high water. To even enter the river a high tide is needed to get across the mud flats of Carter Bay. He takes his boat as far upstream as he can but could not provide a distance with a propeller. He also provided me with Bob LaMerik phone number of Goodnews at 967-8214.

William Walter represents the Goodnews Bay Village Council at 967-8311. He is a Native with extensive boating experience in the Goodnews area. The first river that Walter commented on was the main Goodnews River. He said he has taken his fourteen-foot aluminum boat with a propellered outboard all the way to Goodnews Lake. The average depth is between two and a half and twelve feet deep. This depth would be normal for the months of July, August, September and October. He believed that BLM's smallest commercial boat with a thousand pound load could not be taken all the way upstream to the lake during the normal water stages of June, November and December, because there was not enough water for a propellered motor. He knew many resident boaters to regularly ascend the Goodnews to the lake each season in boats similar to BLM's smallest commercial craft and load while powered by a propeller.

William said that boats can not ascend the Middle Fork Goodnews River to reach its upper lake at low or high water because of rocks that block the channel. This blockage is located upstream beyond the report area. During the late summer the resident boaters will ascend the Middle Fork in search of berries. Each fall resident boaters travel up the Middle Fork for bear and moose. William had personally taken his fourteen foot aluminum boat with a propellered outboard to the blockage which he described as being sixteen to twenty miles beyond the ADF+G fish counting camp in Sec. 3, T. 12 S., R. 72 W., SM. The blockage was even beyond Tigukauivet Mountain in T. 10 S., R. 70 W., SM and upstream of the report area. The average depth of this fork was between one and a half and seven feet deep. He said the local boaters are expert at getting over in shallow spots because of their knowledge of the river and its channel. It would not be a problem for BLM's boat and load during the normal water stages of July, August, September and October.

William said it was possible to ascend the South Fork Goodnews River for five miles. Beyond this there was not enough water, it was too shallow. Although this fork was not as heavily used as the other two forks, some resident boaters do travel this distance in boats similar to BLM's smallest commercial boat for fishing and berry picking. He had taken his fourteen-foot boat upstream for this distance and knew it was possible for larger propellered craft. He believed the thousand pounds would not make a difference.

For many years William has traveled up the coast to enter Carter Bay and stay at the cabin located on the Indian River during hunting season. To get to the Indian River a high tide would be needed to cross Carter Bay. William believed the Indian River was too shallow for his boat or BLM smallest commercial boat. There was simply not enough water for a propellered craft. The cabin and the river were said to contain evil spirits. Evidently there had been white men that had gone to this river and never come back.

Each season many of the resident boaters travel south from Goodnews Bay and enter Chagvan Bay for the dog salmon run on the Kinegnak River. He said that this area was known to be a popular fish feeding area for large groups of brown bears. He said that the local village of Kinegnak had been abandoned for some time. He felt that it had been abandoned because there were no doctors in the area and its danger due to the bears. He said that many resident boaters travel up the Kinegnak River in boats similar to BLM's smallest commercial craft. He describe it as being forty to fifty feet wide and two and a half to seven feet deep. He knew that Adolph Nicolai (at 967-8413), John James (no listing) and William Mark (no listing) were just a few of the boaters who ascend the Kinegnak River with BLM's smallest commercial propellered craft. They travel up the Kinegnak for the salmon fishing and hunting. He said it was only possible to go about half way up this river. Resident boaters were traveling upstream to the first mountain on the left. It was not possible to reach Fog Creek or Wind Creek, the first mountain is at the 860 foot elevation and downstream from these creeks. The northern border of Sec. 1, T. 15 S., R. 74 W., SM would probably not be possible with a thousand pounds because of the rocks that begin to drop into the river from the cliffs. Beyond Sec. 1, the hills converge down to the river causing swifter water, more rocks, and shallow water.

Dave Fisher is the manager of the Togiak National Wildlife Refuge. His office is located in Dillingham at 842-1063. Dave said that a large amount of aerial reconnaissance is done each season to monitor the bird and wildlife populations of the refuge. This last fall they conducted a water fowl survey on Carter Bay and the Indian River. They observed a number of boats similar in size to BLM's smallest commercial boat about a mile upstream. Dave believed the reason they got this far upstream was only due to a high tide. They had never observed any boats further upstream and Dave did not believe it was possible for BLM's craft. Beyond this mile the natural water stages would not provide a depth sufficient for travel with BLM's smallest propellered craft.

Dave had floated down the main Goodnews River from Goodnews Lake by raft. He said that he had observed Alaska River Safari's two large twenty-two to twenty-four-foot boats with large inboard engines and cabins all the way upstream to Goodnews Lake. Although these boats were equipped with jet units, Dave believed it could be done with BLM's smallest craft carrying a half ton while powered by propeller. He felt this would be possible on the high water stages of summer and fall. Alaska River Safari's use to have a camp on Goodnews Lake that they regularly took clients upstream to all summer. While floating the river Dave had observed the average depth to range from one to four feet, and this was not during the high water stages of summer.

Dave described Slate/Wattamuse Creek as being small, shallow and rocky. He did not believe that BLM's smallest commercial craft could be taken upstream very far if at all by propeller. Dave had never rafted the Middle Fork Goodnews River, but he had issued permits to Bristol Bay Lodge to set up camp for their clients inside the refuge boundaries. He believed that their camp was located near Sec. 2, T. 11 S., R. 70 W., SM. He knew that they used fourteen to sixteen foot boats with thirty-five horsepower jet units all the way upstream to this camp. Dave believed that a propellered craft could not get much past the ADF+G camp unless it had a lift. He recommended that I call Bristol Bay Lodge (243-5385) in Anchorage for more information on the physical character of the Middle Fork and additional boat use upstream beyond the ADF+G camp.

Dave felt that the South Fork had even less water than the other forks, and he had never observed any boats on this fork. He felt that this fork was too shallow for BLM's smallest commercial boat.

Although Dave had never been on the Kinegnak River by boat, a refuge employee named mark had established a camp near its mouth this last fall. He had taken his Zodiac with a keel about a mile upstream with a propellered outboard. Mark told Dave that he had needed the tide to get into the Kinegnak River and across the mud flats of Chagvan Bay. However, once into the river it was deep enough for BLM's smallest craft with a propeller to travel upstream. From Dave's conversation it was unclear how far Mark could have gone upstream. In any event, a flat bottomed boat could travel further upstream than a zodiak with a keel.

I tried to contact Adolph Nicolai at 967-8413 in Goodnews Bay but the phone was hung up after two words were said, "I'm sorry." Perhaps Nicolai does not feel comfortable speaking english.

November 7, 1986.

James Smith of Goodnews (967-8515) would not provide any information. He told me to come down here and check it out for myself.

Walter Galila (967-8414) had taken BLM's smallest commercial propellered boat upstream on the Middle Fork Goodnews River to the ADF+G camp in Sec. 3, T. 12 S., R. 72 W., SM. However, he knew the resident boaters of Goodnews Bay were going upstream into the refuge each fall in boats similar to BLM's smallest craft while powered by a propeller. He believed that the upstream limit to BLM's boat and load would be well beyond the report area. The water is deep enough each season for the local boaters to travel this distance.

Walter had not been on the South Fork or the Kinegnak River. However, Henry Small was with Walter when I called and he had taken his boat a half a mile up the Kinegnak River but he was not sure how far BLM's smallest commercial boat could be taken beyond this. One of the reasons that resident boaters do not report to go further upstream is because they anchor their large commercial fishing vessels with a deep draft in Chagvan Bay. These vessels are larger than BLM's craft. Because of their draft requirements, they can not be taken beyond the tidal influence in the lower reaches of the river.

I phoned Bob LaMerik of Goodnews (967-8214) and he said it had been many years since he had taken a boat up the Goodnews River and would not comment. He recommended that I call the sportfishing guides that use the upper Goodnews forks.

Ron Hyde of the Alaska River Safari's (333-2860) provided substantial information. Although he was recovering from a recent stroke, he could provide the following information: Every year for the past fourteen, Ron said that he had been on the Goodnews River every day from break up to freeze up. He said that it was extremely normal under any conditions to see the Natives of Goodnews Bay taking BLM's smallest commercial boat with a propeller upstream to the refuge. He considered this the predictable lower stretch for travel any time with a propeller. He said that the main Goodnews was eighty miles in length and climbed 540 vertical feet in this distance to reach the lake. The resident boaters only have to climb two-hundred feet of little gradient to reach the refuge. The difficult navigation was the last 340 vertical feet gained inside the refuge alone to reach Goodnews Lake. Ron use to have a camp on the Goodnews Lake for many years. He has seen Natives of Goodnews village hunting, fishing and berry picking all the way up to the lake each season. The boats he had seen the locals use were similar to BLM's smallest craft with propellers. These boats with propellers are able to reach the refuge pretty much all year. At low water their are some rocks that make final climb into the lake difficult for propellered boats. Ron said that the canyon is quite a bit further upstream than the five miles above Slate Creek that had been described to me in an earlier interview. He said that the Goodnews River is remote and boaters have to be experienced to select the proper channel. Experience one year could not be relied upon three years later because the course of the river and it channels change. Ron considers the Native boaters to be the best in the world. Every season he sees the Natives bring BLM's smallest commercial boats all the way up to the lake with a propeller. Just this last fall he saw four of the Native boaters each bring a moose out from Goodnews Lake. The half ton load would not be a problem. In fact Ron hauls clients all the way upstream to Goodnews Lake in his heavy twenty-four foot jet boats.

Ron said that the Middle Fork Goodnews River is also used by BLM's smallest commercial craft with a propeller all the way upstream into the refuge. Since the Natives are involved in commercial fishing during the summer, they would not normally be seen on the Middle Fork until fall. During the fall the commercial fisherman of Goodnews Bay have the one to five day period of time that is needed to camp and hunt bear and moose, to trap, and to fish for white fish, rainbow trout, and dollies. Even when the water is low on the Middle Fork the Native boaters of Goodnews can travel upstream into the refuge for these activities. Although the shallow spots are more frequent on the Middle Fork, the Natives will lift their propellered motor out of the water in time to travel over a shallow spot thirty feet long. Ron has seen the Natives in the refuge each season with BLM's smallest propellered craft. He also has seen the fourteen foot jet boats used by Bristol Bay Lodge to carry their sportfishing clients upstream to their camp in the refuge.

Ron said that the South Fork Goodnews River is slower moving with the least amount of water of the three forks. He said his son Ron Hyde Jr.. guides on the South Fork each season and he was more familiar with it. When I asked if BLM's smallest commercial boat with a propeller could be taken to the first fork in the refuge called Tivyagak Creek, Ron said that this was common and done each season. There were also some moose taken on the South Fork. Ron has seen the Natives in boats of this size and load while powered by a propeller be taken this distance, but it was usually in the fall when the Natives have more time.

Ron's son spends a lot of time camping on the Kinegnak River each fall during the hunting season. Since Ron Jr.. goes to college during his afternoons his son will call me back on Monday or Tuesday.

November 12, 1986.

Ron Hyde Jr.. (333-2860) is a sportfishing guide with Alaska River Safari's. He spends his summer boating the Middle Fork and South Fork Goodnews River. He also has a fall camp on Kinegnak River in Chagvan Bay. He said he had thirteen years of boating experience on these rivers, spending from six to eight hours a day on the rivers from May to Mid or late October. He primarily spends his time on the Middle fork camp about one mile downstream from the ADF+G camp or in Sec 9 of T. 12 S., R. 72 W., SM. He regularly uses a twenty-three foot Duckworth with a large inboard engine and a jet unit to take clients upstream into the refuge. The boat alone weighs an estimated 2,400 lbs.. without passengers. With three passengers, gear and

fuel he estimated the boats weight to be over 3,400 lbs.. He regularly takes this boat upstream on the Middle Fork Goodnews River through the report area to reach the Kukaktlik River in T. 10 S., R. 75 W., SM. He described the Kukaktlik River as a small shallow creek. However he has seen the Natives boaters take their boats which are similar to BLM's smallest commercial craft upstream on this small stream by riding their wake. This is done by adding power or reducing power on their propellered motors to get over the shallow areas. Ron said that he had hauled a lot of gear and clients up the Middle Fork. Last summer he even took Lynette Nakazawa of the BLM photogrammetry section up the Middle Fork and the main Goodnews River to their tide markers. Under the right water conditions Ron had taken a small skiff powered by a propeller all the way up to Middle Fork Lake. These conditions would follow the normal storms of spring, August or fall. After several days of rain the river will rise and frequently cover the gravel bars. For the last two years their cook tent has had eight inches of water in it on these high gravel bars. After several days of flooding the channels are frequently altered and the river becomes silty. It normally takes about three more days for the river to return to its natural clear water state. Ron said he had also spent a fall trapping on the upper Middle Fork. He had taken a snowmobile in his eighteen-foot Lund upstream to a Native mud house in the refuge. This was a common practice for the Native boaters. The Natives will usually drag their boat out of the water for the winter and wait for freeze up. Then they will drive the snow machine back to the village and pick up the boat in the spring. The resident boaters take BLM's smallest commercial craft and load upstream on the Middle Fork each fall to hunt or trap for beaver and otter. No special conditions are necessary for BLM's boat and load to be taken this far by propeller except experience. He described the Middle Fork as being 8 to 12 feet deep. The deepest areas were along the cut banks, but he estimated its average depth to be three feet. He said that there were at least a half dozen Native cabins on the Middle Fork upstream from the ADF+G camp and he regularly sees the Native boaters traveling upstream to these cabins each fall. Many of the cabins are located inside the refuge and upstream from the report area.

Ron also spends a lot of time on the South Fork Goodnews River. He described this river as being a tundra river with less trees than either of the other forks. Ron regularly takes his propellered eighteen-foot Lund upstream to Tivyagak Creek. He said that the resident boaters could take BLM's smallest commercial propellered craft and load up to the outlet of a small creek which connect to a lake in T. 12 S., R. 71 W., SM. He believed that this would be the normal limit for BLM's boat and load while powered by a propeller. Although there are not a lot of moose in the area, the Natives will then hike upstream to

this lake and occasionally shoot moose. Ron had been further upstream in a smaller sixteen-foot boat. Ron described this river as having shallow corners of 10-14" water on the cut banks. He knew of the early Pike expedition had poled their boats up the South Fork Goodnews to cross into the Osviak River drainage and rejoin Bristol Bay. He believed that they used Tivyagak Creek to cross over to the Osviak River.

Ron also began to discuss the Kinegnak River which drains into Chagvan Bay. He said that there were no jet boats reaching this river. Chagvan Bay is shallow and full of kelp and seaweed which would plug a jet. Getting to this river was tricky, but once on the river he said it was about the same size and average three foot depth as the South Fork. He believed that the high tide would extend up this river about one mile. It was very similar to the South Fork Goodnews River. In addition to the Native allotments and the old village site on the lower river there were trappers cabins upstream in the hills of the Kinegnak River. Ron said that a propellered boat comparable to BLM's boat and load could be taken upstream to the cliffs and hills. The hills and cliffs are identified between the 405 and 860 foot hills on the west side of the river. The east side of the river has a larger hill at 1555 feet above sea level. He related this to traveling to the top of the J in the river. Ron had taken his eighteen-foot Lund with a thirty-five to sixty-five horsepower propellered motor through Sec. 12, T. 15 S., R. 74 W., SM. Beyond this, the river bed began to have rocks falling into the river from the fifty foot high cliffs. It also becomes too shallow as the gradient increases. He believed that this was the upper limit of navigation for BLM's boat and load. Ron said he would come into the office and help identify the Native cabin locations and their individual extent of travel by boat.

November 14, 1986.

Peter Samuels is the Mayor of Platinum and located in the city office (979-8114). He was familiar with the Kinegnak River. Samuels had taken BLM's smallest commercial boat with a propeller up this river. The problem with this river is getting into it. He said that Chagvan Bay is a large sand and mud flat that is difficult to cross at low tide. He said that if a boat reaches the mouth of Kinegnak River when the tide was out they would have to wade their boat a short distance upstream to get over a bar. Once in the river, it has a depth of three to eight feet deep. It is possible to go upstream by traveling back and forth across the river following the channel and the cut banks. He said that he had turned around an estimated five to eight miles upstream. He remembered the spot to be the first cliff on the right. He believed that he could have gone further upstream

but he was alone and had no reason to. He said that the old timers grandparents use to live up the Kinegnak River and their old cemeteries are still found upriver in or near Sec. 13, T. 15 S., R. 74 W., SM. He thought that Moses Kilbuck (no listing), Willie Eechuck (979-8127), or Oscur Snyder (979-8129) might have a knowledge of the early boaters and how far they use to go on this river since their grandparents lived on the river. Although he had never been to the upper limit many others had described its limit to be in the hills and he knew you could only go so far upstream. He didn't know how far upstream the Natives who use to live on the river had gone by boat. But he knew that the old timers used kayaks on this river when they lived there. He was not sure if they used poling boats.

Ron Hyde (333-2860) said that he had also been up the Kinegnak River but it was three years ago and his son Ron Hyde Jr.. was more familiar with it. He said that he had taken an eighteen-foot boat with a propellered motor upstream into the hills before turning around. He believed that BLM's boat could be taken upstream for this distance with a propeller and a thousand pound load. During this thirteen miles, the river climbed less than a hundred feet. He remembered seeing an old shack in the hills that he believed to be used by Native trappers. Beyond this distance the river is no longer a marshy valley and its depth begins to shallow out. Although he did not see any other boats, his son had spent more time on the river and seen propellered boats this far upstream each fall. Ron Hyde considered this river deep enough for easy navigation by BLM's smallest commercial boat. The real problem is not with the river, but to get across the shallow and muddy Chagvan Bay.

November 18, 1986.

James Akerelrea, a land planner with Calista Corporation (279-5516) came into the office to discuss the Kinegnak River. After he looked the area over on the map he said that he was not familiar with the area. He was familiar with the Quinhagak area just north of Group Survey 194. James could speak fluent Upic and offered to call Adolph Nicolai of Goodnews Bay. The call was not placed from my office because James had just had his tonsils out and couldn't speak well on the phone. James was from Scammon Bay. He suggested that a map of the rivers in this area be sent to Goodnews Village.

Oscur Snyder is a old Native from Platinum (979-8129) that was estimated to be over seventy years old. Snyder said that he was one of the only old timers that use to live at the old village site of Kinegnak. In those days he said that the Natives did not have outboard motors. All the travel was done by can or kayak. He remembered taking his canoe several miles upstream

from the old village and drift fishing for chum salmon. He said that this river was real deep in some places but also had some hard to get over places. Each fall he could remember the trappers who took their camp and supplies upriver for the winter by canoe. Sometimes the trappers would come back into town in December for the Christmas dance. These trappers would build igloos upriver to spend the winter and come back down river in the spring by canoe. There were also reindeer herders who use to travel upstream by canoe to reach their herds. These canoes were various sizes like the modern day canoe and provided the primary means of transportation. Snyder remembered the village of Kinegnak to be nearly empty each spring and fall. The Natives were upriver hunting and trapping with these canoes and it provided their primary means of travel.

November 19, 1986.

I phoned the Division of Fish and Wildlife Protection in Bethel (543-3494) and talked to George Dahl. Dahl worked at the old Platinum mine when he was a boy and he was familiar with the Goodnews Bay area. Dahl is also a trooper that does a lot of flying. Each summer he would land on the airstrip at the mouth of Wattamuse Creek to check on Clyde Huffman who operated the old Wattamuse Mine. Clyde use to be the old post master of Bethel and until his recent death last summer operated the old Wattamuse Mine. Clyde regularly relied upon his fifteen to eighteen-foot flat bottomed boat for transportation and the hauling of supplies and equipment each summer. Dahl knew that Huffman relied upon Slate Creek to reach Wattamuse Creek. Huffman use to park his jet boat just downstream from the old mining dredge in the mouth of Wattamuse Creek. From here Huffman use to load his supplies on his three or four wheelers for the last three fourths of a mile to his cabin on Wattamuse claim. Dahl said that Wattamuse Creek was full of boulders and shallow. He did not believe that BLM's smallest commercial boat could be taken up Wattamuse Creek very far. He was sure BLM's smallest craft could not reach Huffman's cabin which was another three fourths of a mile upstream. Last summer Dahl had also flown his son into the air strip on Slate Creek for him to float Dahl's raft downstream passing the mouth of Wattamuse Creek to reach Goodnews Village. Officer Dahl recommended that I also contact Ron Whitton (543-3350) who has a mining claim in this same area.

Ron Whitton (543-3350) lives in Bethel but has a mining claim on Fox Creek which is upstream from Wattamuse Creek on Slate Creek. Whitton use to work for the troopers, but quit his job to go into full scale mining on his Fox Creek claim. Whitton had spent a number of summers on Slate Creek and regularly flies his supercub airplane into the air strip at Wattamuse and Fox Creeks. He said that Slate Creek was thirty to forty feet wide

and two to three feet deep at low water. On a high water the creek would be five or six feet deep. Whitton said that high water comes within eight to ten hours after a heavy rain. These rains are very common for most of the summer and especially in the fall. He said it was no problem for BLM's smallest commercial craft to be taken upstream on Slate Creek to reach the airstrip across from Wattamuse Creek on an average summer flow. He knew that Huffman used BLM's smallest commercial craft and regularly traveled upstream for this distance. Whitton believed that BLM's smallest commercial boat and load could be taken upstream to Olympic Creek by propeller. Olympic Creek was only a short distance upstream from this airstrip on Slate Creek. Olympic Creek was very small and too shallow by itself. Beyond Olympic Creek, Slate Creek still has six and seven-foot deep pools of water, but there were too many shallow spots. Whitton said that Slate Creek did not begin its steep climb until after leaving Fox Creek. However, Whitton believed that the thousand pound load would limit BLM's smallest propelled craft to Olympic Creek. Whitton had also flown over the Kinegnak River and observed Native boaters upstream. He said it was a popular spot for duck hunting in the fall.

Ron Hyde Jr. came into the office today to discuss the Kinegnak River. Ron is currently going to college in Anchorage to take welding and business courses. Since his father's recent stroke, Ron Hyde Jr. will be expected to take over more of Alaska River Safari's guiding business on the Goodnews River system. Ron has guided sport fish clients in the Goodnews area for the last thirteen years. He has a house at Goodnews Bay Village and has been on the villages search and rescue team for the last four years. On June 6, 1986, Hyde Jr. had administered mouth to mouth to Clyde Huffman, a miner on Wattamuse Creek, after his recent heart attack. Hyde Jr. said that Alaska River Safari's main camp on the Goodnews River was just downstream from Isurik Creek, and he was going to follow Huffman upstream. Hyde Jr. had taken his eighteen-foot propelled Lund upstream on the Goodnews River to the airstrip on Slate Creek across from the mouth of Wattamuse Creek many times over the years and believed that it was not a problem for BLM's smallest craft and load. Wattamuse Creek itself was full of huge boulders and was too shallow for BLM's boat. Huffman used to park his boat at the mouth of Wattamuse Creek and take his three wheelers the remaining three fourths of a mile upstream to his cabin. Hyde Jr. also has a camp on the Kinegnak River in the fall. On this river he usually takes his eighteen-foot Lund with a sixty-five horsepower propelled outboard. He uses this bigger motor because he said that the wind can create some dangerous sea conditions near Red Mountain. He has seen thirty-foot boats capsize near Red Mountain and likes to have the extra power to get back to Goodnews Bay Village before a storm comes up. Several boats have been stranded in Chagvan Bay because of the

rough seas. Some of the Platinum residents keep a three wheeler near Chagvan Bay in case they get weathered in. Each fall, Hyde Jr.. said that the Natives of Platinum and Goodnews Bay come to Chagvan Bay and/or the Kinegnak River for fish, duck, goose, seals, and clams. Camps are always set up near both sides of the entrance to Chagvan Bay and near the mouth of the Kinegnak River. The Natives' travel up the Unaluk River to reach the lakes south of the river for duck hunting. They travel up the Kinegnak each fall for the trout, white fish, black fish, greyling and ducks. The larger thirty foot vessels anchor near the southern side of the entrance to Chagvan Bay. From here they use their smaller skiffs to reach the Kinegnak River. Julius Henry of Platinum usually travels with Hyde Jr.. to hunt, trap and fish on the Kinegnak. They had both taken BLM's smallest commercial craft up the Kinegnak by propeller. Hyde Jr.. also regularly takes this size boat upstream past Shaw Creek each summer. The reason the valley appears to be marshy is because of the large number of beaver dams have caused this area to flood. The trees have also been killed as a result of the beavers. Hyde Jr.. said that the Kinegnak River is used by the Native boaters in the fall on high water upstream into T. 14 S., R. 73 W., SM. However, he believed that the thousand pounds could only be comfortably taken upstream through Sec. 12, T. 15 S., R. 74 W., SM. He had easily been this far with a smaller motor on his eighteen foot Lund and knew the Natives to go this distance in their propellered boats each fall. The shallowest part of the Kinegnak River was in it lowest reaches because of the sediment and sand that has accumulated from flooding. The Natives also liked to hunt the seals near the mouth of the Kinegnak River. The large number of cut banks along this river create an easy three to eight feet of water for this distance. The holes are deep enough for the fish to hold up under these cut banks for the entire winter. Hyde Jr.. had also been over the Kinegnak River by snow machine many times. He said that the cliffs are over fifty feet straight down along the river where the boulders start to appear in the river. These boulders would create a problem for BLM's smallest propellered boat and load before reaching Fog and Wind Creek and especially where the hills converge with the river in T. 14 S., R. 73 W., SM. Hyde Jr.. was also very familiar with the Osviak River, and Warehouse Creek in T. 3 S., R. 74 W., SM.

David Rukke

**Goodnews River System
Interim Summary Report
Attachment 38**

Oral Interview - December 21, 1982

Robert Ackerman
Department of Anthropology
Washington State University
Pullman, Wn., 99164-5044

Navigability of Goodnews River System

General opinion: That only the lower reaches of the streams are navigable. Most waters are fast and rapid. The streams move laterally over time, but volume of water seems to be constant.

One trip started at Goodnews Lake to float the river. Between the lake and Barnum Creek the river consisted of pools and rapids, most rapids requiring walking through, below Barnum Creek it was an easy float trip.

Sponsor: Washington State University, since 1962 specialized on Alaska and Goodnews Area field work mostly during July and August.

Archaeology: Most pre-historic use sites are found away from the rivers on the hillsides and ridges. Pre-1870, caribou were hunted in the hills north of Goodnews Bay. An old, old overland trail traversed through these hills to Quinhagak village on the Kuskokwim Bay.

A subsistence use pattern of overland travel for hunting away from the village sites with returning by the use of improvised rafts carrying the caribou or other game animals was practiced. There is an old village site on the South Fork near Lookout Mountain that was mainly occupied during the winter seasons.

Mining Activities: A mining camp was developed on Slate Creek that served the nearby mines. Supplies and bulk materials were hauled in by tractor trains from Goodnews Bay by an overland trail. Barnum Creek was an intermediate mining site along this trail. Barnum Creek is a fast, rocky and shallow.

Fishing: Currently set-nets or gill-nets are set in the streams by wading in the Bay during low tide. In the past the people used "swing-nets" for fishing, where one end is attached to the stream bank or bay shore and the other end is pulled

by canoe around to encircle the fish. This system works best in calm waters. Most fishing takes place during the summer and through the late fall.

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SUMMARY OF INTERVIEW WITH RON HYDE, JR. Anchorage, Alaska October 6, 2010

Historians Rolfe Buzzell and Nicole Lantz of the Office of History and Archaeology, Division of Parks and Outdoor Recreation, Alaska Department of Natural Resources (DNR) conducted an oral history interview with Ron Hyde, Jr. on October 6, 2010. Ron Hyde, Jr. lives in Anchorage and is President and CEO of PRL Logistics, Inc., which is based in Anchorage. His mailing address at work is 3201 C Street, Suite 300, Anchorage, Alaska 99503. His work telephone number is (907) 261-9440.

The interview took place in Ron's office and the interviewers asked questions focusing on Ron's recreational and commercial river running activities in the Goodnews River drainage of Alaska. The interview began about 11 AM. The interviewers did not turn on the digital recorder until about half way through the two-hour interview session, which ended at 1 PM. The following interview summary is based on handwritten notes taken by the two interviewers for the first half of the session, then a summary of the digital recording of the rest of the interview. The interviewers brought a GIS map of the Goodnews River area created at DNR. The map is marked with river miles for the main rivers. Ron made notes on the map to indicate the location of commercial lodges and camps sites, historic sites and the furthest extent that he traveled up specific water bodies. References to river miles in this summary are to the mile posts on the DNR maps. All photographs used in this summary are courtesy of Ron.

Ron B. Hyde, Jr. was born in 1961. His father, Ron Hyde, Sr., who lives in Anchorage, started "Alaska River Safaris," a commercial river guiding business, in 1971 (Figure 1). The focus of that business was guiding clients in the Goodnews River drainage.

Ron recommended several sources for the early transportation history of the Goodnews River area. He mentioned Dr. Otto George's book, *The Eskimo Medicine Man* (Oregon Historical Society, 1979), which Ron said contained information on the region. He also mentioned the archives of the Moravian Church in Bethel, which contain meticulous diaries and journals of the Moravian missionaries in western Alaska, including information on their activities and trips.



Figure 1. Ron Hyde, Sr. in front of his airboat on the North Fork of the Goodnews River, 1980s.

The Hyde family started operating in the Goodnews Bay area prior to the establishment of the Cape Newenham NWR. Ron remembered the time when different parties were making land selections and how the regional and village corporations were selecting lands on top of each other and local Native allotments.

Ron and his family began river guiding in the Goodnews River drainage prior to the creation of the Togiak National Wildlife Refuge (NWR). His father started the guiding business in 1971 and Ron worked for his father in his teens, twenties and thirties. After the creation of the Togiak NWR, the U.S. Fish and Wildlife Service (USF&WS) officials placed a moratorium on commercial guiding on the Goodnews River and its tributaries, restricting the number of guides to 1984 levels. No restrictions were made on air taxi services or non-guided use. Initially, Ron said, non-guided recreational float use on the Goodnews River and its tributaries was about 25 percent of commercial use. In the 1980s, non-guided float use rose dramatically and surpassed by far commercially guided use of the river. There was lots of traffic on the river, 20-30 rafters at a time going down the river and non-guided traffic continued to increase in the 1980s and 1990s (Figure 2). Ron recalled that Natives, non-commercial rafters and fly-in fishermen who used the river left lots of trash along the river, creating a real problem. Rafters on the river would catch and take the fish, and leave their trash to make room to carry out the fish. The commercial guides on the river picked up trash left by others because the guides viewed the river as a non-renewable resource that was fragile. On several occasions, when he found identification or mailing addresses on the trash, Ron collected trash and sent it COD to the people who had left the trash on the river.



Figure 2. Three Alaska River Safaris rafts and "Laska" the dog on the lower Goodnews River just above Barnum Creek, 1974.

Ron came of age in the Goodnews River area and lived there about 25 years, from 1971 to about 2006. In his youth he and friends would snowmachine from Platinum to the Slug River and kayak down. Later, Ron moved to Goodnews village year round. He spent two years living in the winter at Goodnews Lake in Betty Huffmon's Cabin [Native allotment AA-37800-D], hunting and trapping in the area. He lived in the Goodnews Bay area for 25 years and built a home in Goodnews Bay village. He trapped in the winters and got to know many of the local Natives. He learned the local language and knows the Native names for local rivers and landmarks. Ron attended the State Trooper Academy in Sitka in 1985 and became a Village Public Safety Officer (VPSO). He served as a VPSO for 5 years, stationed mostly in Goodnews Bay village.

Ron's family operated a commercial guiding business called "Alaska River Safaris" and "Goodnews River Lodge" (Figure 3). They operated in the Goodnews Bay area from 1971 until the mid-1990s. The business offered float and power-boat trips on the north (main) branch of the Goodnews River. The float trips began at Goodnews Lake, where the Hydes' used Betty Huffman's cabin [Native allotment AA-37800-D] as a base camp. Rafts carrying clients floated down the Goodnews River to the village or to other take-out points along the river. The Hydes also did float and motor boat trips on the Middle and South Forks, and on two tributaries that flow into Goodnews Lake. For many years Alaska River Safaris and Goodnews River Lodge were the only outfitters on the Goodnews area.

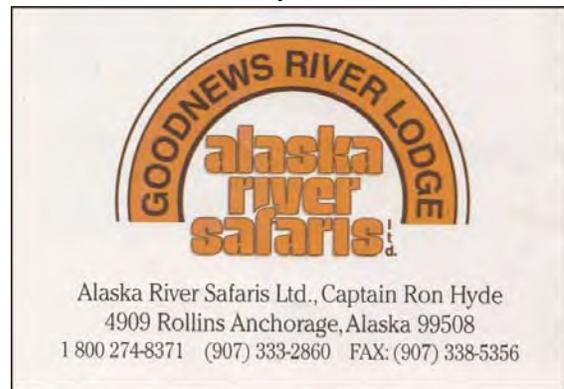


Figure 3. Logo for Alaska River Safaris, 1990s.

The Hydes conducted guided trips on the upper Goodnews River and Igmiumanik Creek. They took clients about a mile upstream of the outlet of upper Goodnews River (Figure 4) to fish for Dolly Varden, salmon and lake trout. They also took clients by boat up the upper Goodnews on hunting trips in the 1970s and 1980s to about Section (Sec.) 14, Township (T.) 7 South (S.), Range (R.) 66 West (W.), Seward Meridian (SM) [river mile 75.5 on the DNR map]. The Hydes used 16-foot Gregor aluminum boats. They also took clients by motor boat up Igmiumanik Creek, a tributary that flows into upper Goodnews River in Sec. 35, T. 7 S, R. 66 W., SM. They went upstream into Sec. 19, T. 7 S., 65 W., SM.

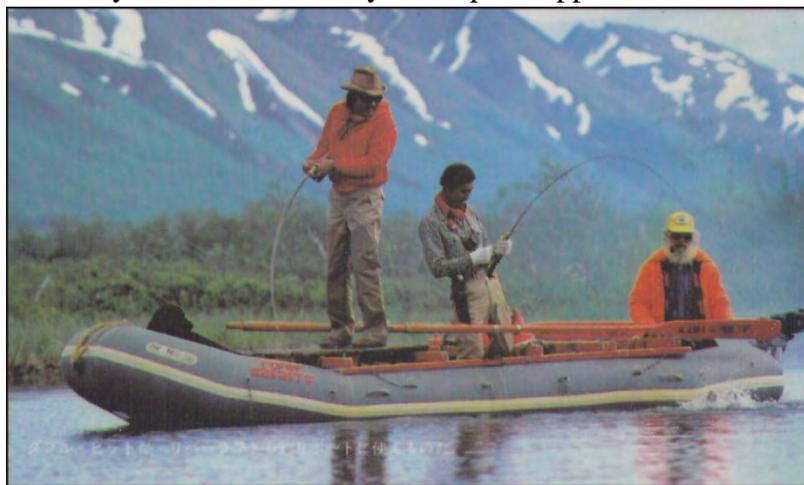


Figure 4. An Alaska River Safaris raft on the upper Goodnews River above Goodnews Lake, 1980s. The raft is powered by a 5-horsepower British Seagull outboard motor.

The Hydes used several types of boats, including 16-foot Klamath and 16-foot Gregor brand aluminum boats with 25-horsepower propeller motors and 40-horsepower jet engines (Figure 5). They also used 15-foot Zodiac rafts with 40-horsepower jets, and 15-foot Avon Professional rafts with 5-horsepower British Seagull outboard motors (Figure 4). They went up Igmiumanik Creek, sometimes paddling, sometimes walking. The creek got deeper the farther they went up there. Ron also traveled up and over the passes to Nagugun Creek and Nagugun Lake, and up into the Gechiak Mountains to Gechiak Lake doing winter trapping. While trapping and hunting bear in those areas, he used a combination of skiff, raft, snow shoes and sleds to travel.



Figure 5. Three skiffs and a raft belonging to Alaska River Safaris at the "Swallows," a place where swallows nest on the bluff in the background, on the North Fork of the Goodnews River, 1970s-1980s.

The area upstream of Goodnews Lake was part of Ron's trap line and he went there often in the two years that he lived in Betty Huffmon's cabin on the lake. He accessed the area by skiff, raft, snowshoe and sled. There are many legends about Goodnews Lake. When he arrived at the lake there were salmon skin hip boots in the cabin when his family first occupied the cabin.

Ron stated that most of the travel on the upper Goodnews River and its tributaries occurred in the spring and late fall when water levels were high. He recalled that in some places, these water bodies did not freeze solid and that open water remained. The water was still deep enough in winter to need to remove clothes to cross river. The river did not freeze through. In some places these water bodies were waste deep. On the upper Goodnews River [above river mile 75.5 on the DNR map], Ron engaged in hunting and trapping for his own personal use. There are many old game trails in the area and there used to be a huge pack of wolves in the area.

Ron spent a lot of time in the winters hunting and trapping with local Natives. The elders told him traditional stories using story knives. They also told him that they traditionally hunted parka squirrels in the watersheds of the upper Goodnews River during the late winter. The Natives dragged their boats over the snow and ice, and then floated down the rivers after breakup in the spring. Elders at Goodnews Village told Ron that in the past they built and used skin boats in the

upper reaches of the Goodnews River. They hunted caribou in the mountains and used the skins to make boats. They made frames for the boats from alder after which they stretched the caribou hides over the frames. They used the skin boats to float down the Goodnews River to their village after breakup.

The Natives also used skins boats on Gechiak Lake and Gechiak River, which originates just over the pass in the mountains southeast of the Goodnews Lake. The pass from the upper Goodnews River to Gechiak River was another portage that the Natives used to travel to Togiak Bay. Ron stated that all of these portage routes, starting from the mouth of the Goodnews River and extending over the mountain passes, were interconnected. Ron pointed out a site on the DNR map where he found the remains of several old skin boats. The site is on the east side of a large lake that is south and east [of river mile 37 on the DNR map] of the Middle Fork of the Goodnews River [SW corner of Sec. 8, T. 10 S., R. 68 W., SM]. Ron indicated that only the alder wood frames were left, when he came across the site. He stated that he thought that the remains of the boats can still be found there today.

Ron's Eskimo name is *Sugtunig*, which comes from Sugtunig Mountain. As a side note, he told a story of snow machining up Isurik Creek (Seal Creek) and breaking through the ice. He floated downstream under the ice for about a mile. His Native companions pulled him out of the creek and rolled him in a blue tarp and took him back to the village.

On the main branch of the Goodnews River, the Hyde family's business usually started clients out at Goodnews Lake. From there, the guides took the clients down river either in rafts or motor boats. Ron and his father built "Goodnews River Lodge," which was one of their stopping places along the river (Figure 6). They sold the lodge and the rest of the commercial guiding business to Mike Gordon about 1995. Gordon still operates the lodge and conducts commercial guiding on the Goodnews River and the Middle and South Forks of the Goodnews River.



Figure 6. Alaska River Safari's Goodnews River Lodge at river mile 6 of the North Fork, 1992.



Figure 7. One of Alaska River Safari's jet boats at the confluence of the North and south Forks of the Goodnews river, 1980s.

The Hydés used four types of water craft on the main branch of the Goodnews River. They used 21-foot and 23-foot inboard jet craft, some of which were equipped with 350 cubic inch Ford engines (Figure 7). They also used 18-foot Wooldridge aluminum skiffs with 50-horsepower outboard motors (Figure 8), and inflatable Zodiac rafts.



Figure 8. Skiffs at one of Alaska River Safari's temporary camps on the North Fork of the Goodnews River, 1981.

The Hydes had several camps along the river. One of them was at river mile 12 [on the DNR map], and Ron showed the interviewers a photograph of that camp (Figure 8). The camp was used from 1971 to the late 1980s, and he estimated that the photograph was taken in 1981. The fixed camps were located along the river. The Hydes also used temporary camps for clients rafting down the rivers. Ron and another employee tore down and packed up the camp after the clients started rafting each morning. Ron and the other employee went ahead of the group and set up the next camp before the clients arrived for the evening (Figure 9). The Hydes had a resupply camp at Goodnews Village on land leased from the Alaska Department of Transportation and Public Facilities land at the village airstrip. The Hydes also had a fixed camp within the Togiak NWR, located about five miles upstream from the NWR boundary [about river mile 34 on the DNR map]. That camp was permitted by the Togiak NWR.



Figure 9. A temporary Alaska River Safaris camp on the Goodnews River just south of Wattamuse Creek, 1974. Carlos [last name unknown] and Ron Hyde, Jr. are in the background setting up camp prior to arrival of clients.

[At about this point the interviewers turned on the digital recorder.]

Ron pointed out the location at Goodnews Lake where he lived at a cabin on the lake [Native allotment AA-37800-D].

Ron showed the interviewers a three ring binder containing photographs from the Goodnews area taken when his family operated the commercial guiding business there. The interviewers tagged some of the photographs and Ron agreed to allow the interviewers to scan some of the



Figure 10. Hauling a raft up the Goodnews River on a jet boat in the late 1970s. The jet boat is a 25-foot Duckworth with a 454 cubic inch Chevy engine and a 3-stage Hamilton inboard jet unit.

photographs for possible use in their reports. Ron pointed out a photo of a 5-horsepower British Seagull outboard motor that his business used on 15-foot rafts that went above Goodnews Lake (Figure 4). He also pointed out a photo of Goodnews Lake showing boats used by the business. The Hydes ran the inflatable rafts on boats up the Goodnews River (Figure 10) and staged the rafts at Goodnews Lake for the summer season. He pointed out another photograph taken at the Goodnews River on the outlet side of the lake, showing rafts with fixed frames (Figure 11).



Figure 11. Rafts with rowing frames at the outlet of Goodnews Lake, 1981.

Another photo was of Point Camp (Figure 12), a camp along the Goodnews River on the lower river about five miles below Barnum Creek. It was at about river mile 12-14 in a braided area of the river. This was one of three camps. It was on public land, below the high water line. He referred to it as “sand bar camping.” The photo of the camp was taken in 1981. They had camps along the river there from the 1970s to the late 1980s. An old tractor trail is near the river and the trail goes up to Wattamuse Creek.



Figure 12. Point Camp, a temporary camp used by Alaska River Safari, in 1981. The camp was five miles below the mouth of Barnum Creek at river mile 14 of the Goodnews River.

The Hyde family had multiple camps on the Goodnews River: one at Goodnews Lake, a resupply camp at Goodnews village at the mouth of the Goodnews River, and multiple camps along the river. They had a fixed camp in the refuge about five miles upstream from the border of the NWR refuge and Native lands. The Hydes kept float planes at Goodnews Lake. They used float planes to fly clients in and drop them off at camps (Figure 13), from which they took them out on day trips fishing from motorized craft. They had a camp in the refuge about two-thirds of the way up the river; a lower camp; and the resupply camp at Goodnews Village. The Hydes had float trips departing from Goodnews Lake on a daily basis. They also had guided motorized boat trips every day going up and down the full length of the river (Figure 14). They had clients who fished salmon at tidewater, up Arm Creek (catching grayling), Barnum Creek (catching rainbows), Canyon Creek (catching big rainbows at the bottom and Dolly Varden further up), Wattamuse Creek (catching grayling), Nimgun Creek (catching big Dolly Varden and grayling), Awayak Creek (catching big Dolly Varden and grayling). Any tributaries of the main river that they could get up, they would take clients up and fish.



Figure 13. A Beaver aircraft and a jet boat at Alaska River Safari's Upper Camp near the mouth of Isurik Creek at river mile 33 on the North Fork of the Goodnews River, 1980s.

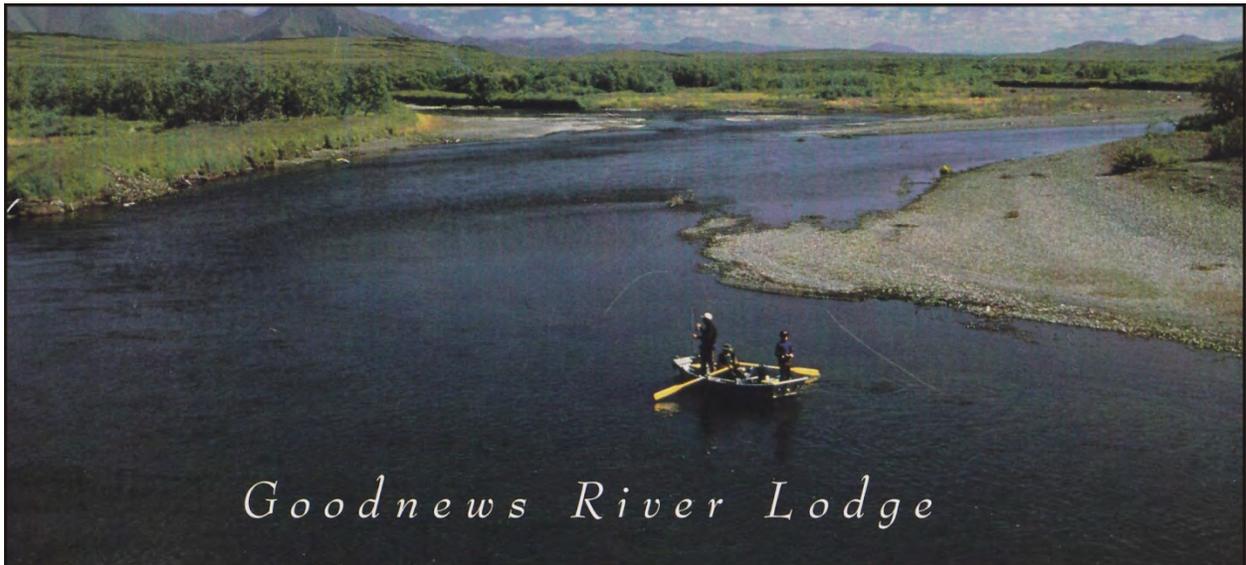


Figure 14. "John's Hole," a place on the Goodnews River just downstream of Barnum Creek, where Alaska River Safaris guides took clients in the 1990s.

Ron stated that there was a fair amount of historical use and recent commercial use on the Middle Fork of the Goodnews River. Independent and guided floaters would be dropped off by Yute Air, operating out of Dillingham. Independent floaters rented equipment from the air taxi operators, who would drop them off and pick them up later near the bottom of the river. They had individuals who owned their own equipment and would have air taxi operators drop them off and pick them up. The air taxis also landed on the river.

The Hydes did guided trips on the Middle Fork. Their clients fished nearly the entire Middle Fork system up to the Middle Fork Lake. The Hydes took clients up the river by motor boats to Middle Fork Lake [river mile 51 on the DNR map], where they had rafts prepared for the trip down river (Figure 15). They led float trips that started at Middle Fork Lake and extended down the Middle Fork. The Hydes also ran float trips for fishing or hunting out of various lakes along the river. They used the same size power boats on the Middle Fork as on the Main Fork, with the exception that they used smaller sized boats once they got ten miles above Lookout Mountain. The Middle Fork upstream of Lookout Mountain [about river mile 10 on the DNR map] was shallower and had more rapids than the lower portion of the river. The Hydes used 15-foot to 18-foot aluminum skiffs, some covered and some uncovered, with inboard jet units up to 115-horsepower to travel on the upper portion of the Middle Fork.



Figure 15. Ron Hyde, Jr., of Alaska River Safaris, driving a raft carrying another raft up the Middle Fork of the Goodnews River, 1970s.

Ron stated that on a few occasions, he took clients about a mile up the Middle Fork above Middle Fork Lake [river mile 53 on the DNR map]. The river at that point was full of lake trout

and spawning red salmon. Those were commercial trips, taking clients fishing up there. That was the upper limit of Ron's commercial and recreational use of the river during the open season. He traveled further up stream, but that was by snowmachine in the winter.

Historically, local Natives used skiffs with outboard motors to travel all the way up the Middle Fork to Middle Fork Lake. They also traveled up the Kukaktlik River, a major tributary coming into the Middle Fork from the south, to hunt and fish. The Kukaktlik River and Kukaktim Lake provides access to another pass into the Togiak area.

From 1971 to the late 1980s, Alaska River Safaris was the only commercial operation using power boats on the Goodnews River system (Figure 16). About 1987 or 1989, Ron McMillan, the owner of Bristol Bay Lodge, began offering commercial river trips on the Goodnews system. Bristol Bay Lodge had a camp on the Middle Fork of the Goodnews [river mile 23 or 24 on the DNR map] called Birch Creek Camp. The lodge flew their guests in on Beavers (airplanes) to a lake where the Hydes had gone bear hunting. The lake is on the Middle Fork [near river mile 23-24 on DNR map]. Ron has movie footage of some of his family's operations showing airplanes landing on the lakes and river. After the late 1980s, other commercial guiding outfits began providing services on the Goodnews drainage. Outfitters included air taxis and other commercial boat operators.



Figure 16. Alaska River Safaris' temporary camp site at "Little Crow, on the North Fork ten bends below Barnum Creek, late 1970s. "Little Crow" is a local Native place name.

The South Fork, according to Ron, was part of a historical water-overland-water portage from Kuskokwim Bay to Togiak Bay. The Pike expedition went up the South Fork and Tivyagak

Creek over a hundred years ago and portaged over to Matogak River. It was also a common winter route. Historically, local Natives used the route to avoid the dangerous ocean passage from Kuskokwim Bay to Togiak Bay. Matogak Creek was primarily used by Togiak Natives, but it was part of the portage. There was lots of use up the South Fork by Goodnews Bay villagers for squirrel hunting and fishing. A fair amount of people from the village were born on the South Fork.

At one point, the Hydes used an airboat in their commercial operations. Airboats had been used out of Bethel prior to the time that the Hydes started commercial operations. The USF&WS granted the Hydes a permit to use the airboat as a part of their commercial guiding operations for a number of years. Ron showed the interviewers two photographs of the airboat that his family used on the Goodnews River as part of their commercial operations. One photo was taken on Nimgun Creek and the other was taken near the outlet of Goodnews Lake (Figure 17).



Figure 17. The Hyde's airboat near the outlet of Goodnews Lake, at a place they nicknamed "Futhermucker Rapid" on the North Fork of the Goodnews River, early 1980s.

Ron pointed to photographs in the three-ring binder of their different boats and camps along the Goodnews River. He pointed to a photograph of a raft carrying another raft up the Middle Fork (Figure 15). The Hydes took the rafts up to the lake to set up for clients, so the clients could



Figure 18. A 21-foot Duckworth jet boat operated by Alaska River Safaris on the Goodnews River near Goodnews Lake, late 1970s or early 1980s.

float down the river. He pointed out a photograph of their camp on Goodnews Lake. He also pointed out an article on his family's guiding business in a magazine article published in 1982. He pointed to a photograph of a Duckworth 21-foot boat (Figure 18) and a photograph of a man standing on a boat on the (main fork of the) Goodnews River about 10 miles up stream from the mouth. He pointed to a photograph of a crew setting up camp on Goodnews Lake in the spring, and a photograph of resupplying the camp at the Goodnews Lake during the winter (Figure 19).



Figure 19. Unloading gear at Goodnews Lake, winter 1977. Ron Hyde, Jr. is in the middle.

Ron pointed out a photograph of the camp in a brochure. The camp was located between river miles 6 and 7 [on the DNR map], on land leased from the local Natives. He also pointed out a photograph of loading one of the company's jet boats into a Ball Brothers C-119 cargo plane in Anchorage, bound for Bethel, in the 1970s (Figure 20). Ron gave the interviewers verbal permission to scan or make color copies of photographs from the three-ring binder for their reports.



Figure 20. Loading a jet boat into a C-119 cargo plane in Anchorage for a flight to Bethel, 1970s.

The furthest Ron went up the South Fork was into the “canyons,” where the river gets narrow and shallow [about river mile 25 on the DNR map]. The river had lots of rapids and was rocky, and there were risks of damaging the jets or propellers. Ron and his father used the same kind of boats for their guiding activities on the South Fork as on the Main Fork of the Goodnews River, unless they were going above Lookout Mountain. Lookout Mountain was the point on the Middle and South Forks beyond which they had to use smaller boats. Above Lookout Mountain [river mile 9 or 10 on the DNR map], they used 15-foot and 18-foot boats. Beyond that point [about river mile 25] they were “just risking their equipment.” These operations took place at the same time as their operations on the Main and Middle Forks.

The Hydes built a lodge on the Main Fork of the Goodnews River [river mile 6.5 on the DNR map]. It was called the “Goodnews River Lodge” and was strategically located close to the

confluence of the Main, Middle and South Forks. The lodge is still in use. The current owners operate guided trips up the North, Middle and South Forks of the Goodnews River. There is a cut through the land [a slough] that provides water access from the main branch of the river, where the lodge is located, to the other two forks. Ron pointed to a photograph of the lodge (Figure 6) in the three-ring binder.

According to Ron, Tivyagak Creek was part of another historic portage route that went up the South Fork and over a mountain pass to Togiak Bay. The portage route was used from the Osviak River (going northwest) and from Tivyagak (going southeast), as travelers went in both directions. Ron pulled out a dictionary of the Yupik language to refresh his memory about Tivyagak Creek. He used to speak the local language fairly well. He said there was a fair amount of Native use on Tivyagak Creek, as it was part of a natural portage, and one could take a boat quite a ways up the creek. The creek slows down in the upper portion and there are not a lot of rapids. The surrounding land is marshy and the creek becomes very windy. The upper reaches of the creek connect to a series of lakes. The upper part of Tivyagak Creek is slow and windy.

Ron recalled going a long ways up Tivyagak Creek. When Nicole asked how far up the creek he had gone, Ron said that somewhere, perhaps at home, he has a set of maps showing the extent he has traveled up each of the rivers and creeks in the drainage. He had thought the maps were at his office, but he could not find them when he looked for them this morning. He said he will look for the maps at his home here in Anchorage. On a number of occasions, Ron said, he took clients up Tivyagak Creek to the marsh and pond areas, which he stated was just north of boundary of the NWR. Ron traveled by boat up Tivyagak Creek to river mile 8 [on the DNR map], a point where the river splits. They went up the west tributary and to the south to the northern boundary of the Togiak NWR [SE ¼ of Sec. 32, T. 12 S., R. 71 W., SM]. His clients fly fished in that area for grayling, rainbows and Dolly Varden. He did not take any clients up the creek for hunting. Ron used 14-foot, 15-foot and 16-foot aluminum skiffs with outboard jets units when taking clients up the Tivyagak. He believed that the west branch of upper Tivyagak Creek was the main branch of the creek. [DNR maps show the east branch to be the main branch].

Ron Jr. got started guiding with his father. Ron Hyde Sr., who lives in Anchorage, started the guiding business in 1970-1971. Ron Jr. was about 13 or 14 when he began going out on guiding trips with his father in the summers. They had other crew members. Ron Jr. grew up with the business and really liked the remote Goodnews drainage. Ron eventually started living in Goodnews village, while his father always returned to Anchorage at the end of the season. Ron bought a house in the village and lived there year-round. He worked in his father's business as a river guide during the summers and traveled the back country with local villagers, hunting and fishing for subsistence. He became a Village Public Safety Officer (VPSO) and served in Goodnews village. As a VPSO, he was responsible for search and rescue out in the Goodnews area. He was involved in several rescues, including giving CPR and recovering the body of Clyde Huffmon who died on a mining claim on Slate Creek. As a VPSO, he received subsistence leave every year. He spent his subsistence leave working as a river guide. Another VPSO would come in and fill in for him while he worked with his father. Ron was born was in

1961. He was probably about 13 or 14 when he began his heaviest use on the rivers in the Goodnews area (Figure 21).



Figure 21. Ron Hyde, Jr. pushing a jet boat with an oar at the mouth of upper Goodnews Lake where the top of the narrows pop out into upper lake, late 1970s.

Ron lived in the village until the sale of his father's business in 1994 or 1995. He showed the interviewers his copy of a dictionary. He said that at one time he was fluent in Yupik. He said that he does not speak the language so much anymore, but it was apparent to the interviewers that Ron was proficient in the Native pronunciation of river and place names. He recalled BLM employees interviewing him in 1986, when he was asked about his use of the Goodnews River and its tributaries.

Rolfe asked Ron about early jet boat use in Alaska and on the Goodnews River. Ron stated that a company called "Outboard Jet" of San Leandro, California designed the most efficient outboard jets. That company came out with its outboard jet unit in 1960, and after that outboard jets started to be heavily used in Alaska. Ron differentiated between inboard and outboard jet units, and he said that both types have been used in Alaska. Sonny Peterson, the owner of Kuluk Lake Lodge (an in-holding in Katmai National Park) and Brooks Lodge at Katmai National Park, owned an early jet boat and used it in Alaska. Ron Jr. thought that his father may know of more people. The Hydes started using jet boats in 1971 on the Goodnews River. Ron also recalled other airboat use in Alaska in the 1970s. The Hamilton Jet, an inboard jet unit, was developed in

New Zealand. Jet boats were used in the Nushagak fishery and probably on the Kenai Peninsula in the early years of statehood. During the interview, Ron looked on-line for information on “Outboard Jet” and used a “Google” search to pull up information on the company “Outboard Jet.” According to the web-site, the company started manufacturing and selling outboard jets in 1960. Ron said that the company started selling outboard jet units in Oregon, Washington and Alaska about the same time. Ron said that inboards jet units, which were invented before 1960, were used earlier in Alaska than outboard jet units. Ron thought that inboard jet units were used in the fishing fleet on the Nushagak and Kvichak rivers. Ron said he will make some inquiries with folks who have been around a long time and that may know more about early jet boat use in Alaska.

Ron stated that there was historic use of all of these rivers in the Goodnews area with propellers, well before jet boat use. In the past, boaters using Evinrude outboard motors often attached a broken propeller to a tree to mark the furthest distance up a river or creek that the boaters traveled. There was use by propellered craft long before jet boat units, but jet boats have been used on the Goodnews River system as long as Ron can recall. Commercial boat use on the Goodnews River and its Middle and South Forks began with commercial fishing. The local Natives commercially fished on the lower portions of the rivers before any limits were placed on commercially fishing the rivers. The Goodnews Cannery was located just south of the mouth of the Goodnews River. It was owned by the Japanese. The ruins of the cannery are located on a Native allotment (FF-18209) just south of the outlet of the river [Section 28, T. 12 S., R. 73 W., SM], across from Goodnews Village. Local fishermen took their boats up the Goodnews River and its Forks to commercial fish and they sold their fish to the cannery. The fishery and the cannery were active in the 1950s and 1960s. The cannery was abandoned by the 1970s when Ron began guiding in the area with his father. There is still evidence of the cannery buildings at the site. There were no escapement concerns back in those days, Ron stated. Now the industry is more knowledgeable about the function of escapement.

Propeller driven boats were common on the Goodnews River and its tributaries prior to 1959, according to Ron. He said that all of the mining equipment taken to the mines on Wattamuse Creek was taken by propeller driven boats that went up the Goodnews River and Slate Creek. The miners “drag lined” the river to get their equipment up the rivers to their mining claims. Miners used Slate, Canyon, Fox and Salmon creeks to move mining equipment up upstream to mining claims. A floating dredge built in the 1930s is still located on Wattamuse Creek. All of the materials used to construct the dredge on Wattamuse Creek were brought up stream by boat.

Ron said he has lots of photographs of boating on the South Fork and other rivers and creeks in the area. He said he will give the interviewers a call when he gets the material together from his collection at home. He also will look for his collection of guiding maps. [End of interview]

Goodnews River System Interim Summary Report Attachment 40

Officially Filed
DATE NOVEMBER 06, 1994

ORIGINAL

Sheet 1 of 2 Sheets

U.S. SURVEY NO. 11377, ALASKA

This plat contains the entire survey record.

This survey was executed by William W. McClintock, Registered Alaska Land Surveyor No. 15-5480, August 30, 1994 through September 2, 1994, in accordance with the specifications set forth in the Manual of Surveying Instructions, 1973, Special Instructions dated March 14, 1994, approved April 12, 1994, Supplemental Special Instructions dated August 5, 1994, approved August 8, 1994, and Assignment Instructions dated April 21, 1994.

Field Assistants were:

Walter K. Rice, Party Chief
Ralph J. Sousa, Instrument Person

Area: 239.91 Acres.

The azimuth was obtained from direct observations of the sun, using the hour angle method, and refers to the true meridian.

The approximate geographic position of the witness corner to corner No. 1, Lot 1, a meander corner, as determined by scaling from U.S. Geological Survey quadrangle map "GOODNEWS BAY (B-5)", Alaska, 1979 edition, minor revisions 1983, is:

Latitude: 59° 29' 09.0" North
Longitude: 160° 34' 14.3" West
(NAD 27)

The mean magnetic declination was taken from U.S. Geological Survey quadrangle map "GOODNEWS BAY (B-5)", Alaska, 1979, edition, minor revisions 1983.

This survey is located on the northerly shore of Goodnews Lake, approximately 45 miles northwesterly of the village of Goodnews Bay, Alaska.

The land is rolling, marshy tundra with numerous ponds and lakes throughout.

The soil is sandy silt with gravel.

Access to the site is by boat and/or airplane in the summer and by snowmachine in the winter.

Acceptance of this survey does not purport to transfer any interest in submerged lands to which the State of Alaska is entitled under the Equal Footing Doctrine and Section 6(m) of the Alaska Statehood Act, P.L. 85-508, notwithstanding the use, location, or absence of meander lines to depict water bodies.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Anchorage, Alaska

The survey represented by this plat, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

For the Director

George P. Jirast 19 October 1994
Deputy State Director for Cadastral Survey, Alaska



I, William W. McClintock, Registered Alaska Land Surveyor No. 15-5480, HEREBY CERTIFY, upon honor that in pursuance of Special Instructions dated March 14, 1994, approved April 12, 1994, Supplemental Special Instructions dated August 5, 1994, approved August 8, 1994, and Assignment Instructions dated April 21, 1994, I have executed the survey depicted on this plat in strict conformity with said Special Instructions, the Manual of Instructions for the Survey of the Public Lands of the United States, 1973, and in the specific manner described on this plat.

10-18-94 *William W. McClintock*
Date Registered Land Surveyor

MEANDERS

Lot 1

- Along a well-defined rocky bank, 1-4 ft. high, at the line of ordinary high water.
- N. 14°01' E. 0.63 ch. At 17 lbs. Creek, 5 lbs. wide, 5 ins. deep, course S. 71° E.
 - N. 35°13' E. 1.52 chs.
 - N. 52°15' E. 3.30 chs.
 - N. 50°04' E. 1.74 chs.
 - N. 38°48' E. 1.03 chs.
 - N. 48°03' E. 2.17 chs.
 - N. 38°18' E. 1.34 chs.
 - N. 52°12' E. 1.88 chs.
 - N. 49°05' E. 1.37 chs.
 - N. 49°07' E. 1.99 chs.
 - N. 44°21' E. 2.20 chs.
 - N. 51°31' E. 2.16 chs.
 - N. 25°18' E. 1.82 chs.
 - N. 51°45' E. 2.83 chs.

Along a well-defined sandy bank, 1-4 ft. high, at the line of ordinary high water.

- N. 47°42' E. 1.20 chs.
- N. 78°29' E. 0.89 ch.
- N. 54°18' E. 0.81 ch.

Along a well-defined rocky bank, 1-4 ft. high, at the line of ordinary high water.

- N. 53°58' E. 1.32 chs.
- N. 1°11' E. 0.30 ch.

MEANDERS

Lot 3

Along a well-defined sandy gravel beach, 1-2 ft. high, at the line of ordinary high water.

- S. 43°56' W. 1.62 chs.
- S. 17°36' W. 2.78 chs.
- S. 42°37' W. 3.52 chs.
- S. 42°37' W. 0.81 ch.
- S. 28°50' W. 1.08 chs.
- S. 17°03' W. 1.19 chs.
- S. 25°02' W. 1.48 chs.

At end of course, Creek 33 lbs. wide, 12 ins. deep, course S. 71° E.

At end of course, Creek 38 lbs. wide, 18 ins. deep, course S. 61° E.

- S. 24°34' W. 2.52 chs.
- S. 7°24' W. 0.20 ch.
- S. 15°00' E. 0.21 ch.
- S. 32°01' W. 1.45 chs.
- S. 44°17' W. 1.98 chs.
- S. 64°37' W. 2.72 chs.
- S. 36°17' W. 3.13 chs.
- S. 42°19' W. 1.04 chs.
- S. 56°43' W. 0.80 ch.
- N. 78°04' W. 2.21 chs.
- S. 60°15' W. 2.44 chs.
- S. 53°24' W. 2.74 chs.
- N. 45°03' W. 1.88 chs.
- S. 47°28' W. 1.87 ch.
- S. 72°08' W. 1.20 chs.
- S. 78°28' W. 2.54 chs.

Along a well-defined rocky bank, 1-4 ft. high, at the line of ordinary high water.

- S. 64°37' W. 1.44 chs.
- S. 53°58' W. 1.84 chs.
- S. 53°58' W. 1.38 chs.
- S. 38°53' W. 1.74 chs.
- S. 30°05' W. 1.24 chs.
- S. 18°37' W. 1.50 chs.
- S. 18°38' W. 2.42 chs.
- S. 25°48' W. 2.19 chs.
- S. 9°23' W. 1.88 chs.
- S. 51°50' W. 2.28 chs.
- S. 40°28' W. 0.85 ch.
- S. 54°40' W. 0.85 ch.
- S. 44°24' W. 1.19 chs.
- S. 25°12' W. 2.17 chs.
- S. 16°48' W. 2.42 chs.
- S. 44°54' W. 0.79 ch.
- S. 87°00' W. 0.87 ch.
- N. 70°58' W. 1.49 chs.
- N. 74°14' W. 3.14 chs.
- N. 70°58' W. 1.49 chs.
- S. 79°58' W. 1.86 chs.
- S. 64°30' W. 2.22 chs.
- S. 43°15' W. 2.14 chs.
- S. 38°54' W. 1.99 chs.
- S. 24°03' W. 1.43 chs.
- S. 47°11' W. 1.43 chs.
- S. 37°53' W. 0.98 ch.
- S. 48°07' W. 1.48 chs.
- S. 48°25' W. 0.85 ch.

IMPROVEMENTS

From the witness cor. to cor. No. 1, Lot 3, a meander cor.

The most southerly cor. of a shed, 7.8 ft. x 11.4 ft., bears N. 46°54' E., 61.94 chs. dist., long side bears N. 62° E.

The most westerly cor. of a frame cabin bears N. 48°28' E., 42.71 chs. dist., thence with the dimensions of the building, S. 50° E., 22.6 ft.; thence 90° left 14.5 ft.; thence 90° left 16.2 ft.; thence 90° right 5.5 ft.; thence 90° left 8.3 ft.; thence 90° left 18.7 ft.; back to the most westerly cor.

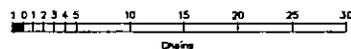
The most westerly cor. of a tent frame, 13.4 ft. x 28.2 ft., bears N. 49°54' E., 43.32 chs. dist., long side bears S. 49° E.

The most westerly cor. of a tent frame, 14.3 ft. x 14.8 ft., bears N. 50°27' E., 43.84 chs. dist., long side bears S. 57° E.

The most westerly cor. of a tent frame, 14.0 ft. x 15.2 ft., bears N. 50°59' E., 44.74 chs. dist., long side bears S. 59° E.

The most westerly cor. of a tent frame, 15.5 ft. x 31.2 ft., bears N. 59°16' E., 43.77 chs. dist., long side bears N. 39° E.

The most westerly cor. of a shed, 8.2 ft. x 15.8 ft., bears N. 48°40' E., 43.19 chs. dist., long side bears S. 61° E.



201
LLE11

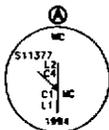


JAM

Post Sheet 520-12 TRS; R6667W; 5M
GOODNEWS BAY B-5

ESP
LLE11

U.S. SURVEY
NO. 11377, ALASKA

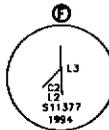


Set an aluminum post, 30 in. long, 2 1/2 in. diam., 26 in. in the ground with aluminum cap steel as shown, from which

A magnet in a fluorescent blue plastic case, bears S. 80° W., 15 in. dist., buried 18 in. below the ground.

A magnet in a fluorescent orange plastic case, bears N. 10° W., 15 in. dist., buried 18 in. below the ground.

Deposit a magnet in a clear plastic case at the base of the aluminum post.

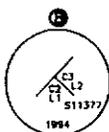


Set an aluminum post, 30 in. long, 2 1/2 in. diam., 26 in. in the ground with aluminum cap steel as shown, from which

A magnet in a fluorescent blue plastic case, bears S. 35° W., 15 in. dist., buried 18 in. below the ground.

A magnet in a fluorescent orange plastic case, bears N. 55° W., 15 in. dist., buried 18 in. below the ground.

Deposit a magnet in a clear plastic case at the base of the aluminum post.



Set an aluminum post, 30 in. long, 2 1/2 in. diam., 26 in. in the ground with aluminum cap steel as shown, from which

A magnet in a fluorescent pink plastic case, bears S. 50° E., 15 in. dist., buried 18 in. below the ground.

A magnet in a fluorescent blue plastic case, bears S. 35° W., 15 in. dist., buried 18 in. below the ground.

Deposit a magnet in a clear plastic case at the base of the aluminum post.

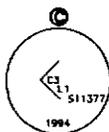


Set an aluminum post, 30 in. long, 2 1/2 in. diam., 26 in. in the ground with aluminum cap steel as shown, from which

A magnet in a metallic silver plastic case, bears N. 45° E., 15 in. dist., buried 18 in. below the ground.

A magnet in a fluorescent pink plastic case, bears S. 45° E., 15 in. dist., buried 18 in. below the ground.

Deposit a magnet in a clear plastic case at the base of the aluminum post.

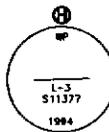


Set an aluminum post, 30 in. long, 2 1/2 in. diam., 26 in. in the ground with aluminum cap steel as shown, from which

A magnet in a fluorescent pink plastic case, bears S. 30° E., 15 in. dist., buried 18 in. below the ground.

A magnet in a fluorescent blue plastic case, bears S. 30° W., 15 in. dist., buried 18 in. below the ground.

Deposit a magnet in a clear plastic case at the base of the aluminum post.



Set an aluminum post, 30 in. long, 2 1/2 in. diam., 26 in. in the ground with aluminum cap steel as shown, from which

A magnet in a fluorescent blue plastic case, bears S. 45° W., 15 in. dist., buried 18 in. below the ground.

A magnet in a fluorescent orange plastic case, bears S. 30° W., 15 in. dist., buried 18 in. below the ground.

Deposit a magnet in a clear plastic case at the base of the aluminum post.



Set an aluminum post, 30 in. long, 2 1/2 in. diam., 26 in. in the ground with aluminum cap steel as shown, from which

A magnet in a fluorescent blue plastic case, bears S. 70° W., 15 in. dist., buried 18 in. below the ground.

A magnet in a fluorescent orange plastic case, bears N. 15° W., 15 in. dist., buried 18 in. below the ground.

Deposit a magnet in a clear plastic case at the base of the aluminum post.



Set an aluminum post, 30 in. long, 2 1/2 in. diam., 26 in. in the ground with aluminum cap steel as shown, from which

A magnet in a fluorescent blue plastic case, bears S. 45° W., 15 in. dist., buried 18 in. below the ground.

A magnet in a fluorescent orange plastic case, bears N. 45° W., 15 in. dist., buried 18 in. below the ground.

Deposit a magnet in a clear plastic case at the base of the aluminum post.



Set an aluminum post, 30 in. long, 2 1/2 in. diam., 26 in. in the ground with aluminum cap steel as shown, from which

An Arden, 6 in. diam., bears N. 40 1/4° E., 321 in. dist., mark X 87.

A magnet in a fluorescent orange plastic case, bears at 45° W., 15 in. dist., buried 18 in. below the ground.

Deposit a magnet in a clear plastic case at the base of the aluminum post.

REFERENCE SHOULD BE MADE
TO
SHEET No. 1
FOR SURVEY INFORMATION

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Anchorage, Alaska

The survey represented by this plat, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

For the Director

George J. Christ

19 November 1994
Date

Deputy State Director for Cadastral Survey, Alaska

Print Sheet 520-12 T85, R664674, 571
GOODNEWS BAY B-5



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Anchorage District Office ALASKA AREA OFFICE
RECEIVED 813 D STREET
ANCHORAGE, ALASKA 99501

MAY 5 1975

April 24, 1975

Director of Land Management
Anchorage, Alaska

F 14862
GOODNEWS BAY

Goodnews River System
Interim Summary Report
Attachment 41

MEMORANDUM

TO : District Manager, Bureau of Land Management
Anchorage District, Anchorage, Alaska

FROM : ^{Asst.} Area Director, Fish and Wildlife Service
Alaska Area Office

SUBJECT : Identification of Easements - Village Selections

We have reviewed the core village lands and waters shown on the village withdrawal maps supplied to us by your office pursuant to our responsibility under Section 17(b) of ANCSA to identify in the public interest those areas which should possibly be reserved by easement.

Our memo of March 25 indicated that we did not have knowledge of easements needed, however, using the computer print-outs supplied by you showing the tentative village land selection within withdrawal areas, we have identified several potential access requirements based on our knowledge of traditional public use.

1. Village of Goodnews - village selections cover the Goodnews River and immediate watershed from the mouth of the river upstream to the Togiak NWR proposal, a distance of approximately 30 river miles.

This section of the river has been used in the past and is utilized presently for boat travel both ascending and descending, primarily by residents of Goodnews and Platinum, and has been used by other Natives and visitors for access to the headwaters of the Goodnews River primarily for subsistence hunting and fishing.

We believe that the public interest would be served by reserving several boat landing or pull-out sites evenly distributed along the Goodnews River between its mouth in upper Goodnews Bay and

- DM.....
- ADM.....
- PA.....
- RES.....
- ENG.....
- ADMIN.....
- FIRE.....
- AM-PEN.....
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The TOGIAK REFUGE

Save Energy and You Serve America!

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF RESEARCH & DEVELOPMENT

JAY S. HAMMOND, GOVERNOR

555 Cordova Street
Pouch 7-005
Anchorage, AK 99510
(907) 276-2653

2163.06 Goodnews Bay

November 10, 1982

**Goodnews River System
Interim Summary Report
Attachment 42**

Gary Seitz
Navigability Section
Division of Conveyances
Bureau of Land Management
701 "C" Street, Box 13
Anchorage, AK 99513

RECEIVED
ANCHORAGE AK.
NOV 15 1 40 PM '82
BUREAU OF LAND
MANAGEMENT
MAIL ROOM

Re: Waterbodies within Goodnews Bay conveyance area

Dear Mr. Seitz:

The Draft State Director Memorandum for the village of Goodnews found the main stem of the Goodnews River navigable. The village meeting did little to further our knowledge of waterbody use within the conveyance area.

However, Alaska River Safaris, a commercial fishing guide operating in the area, was mentioned at the village meeting as a user of the waterbodies. They were contacted by this office and the following information is a result of that contact.

Alaska River Safaris is owned and operated by Ron Hyde and his son Ron Hyde, Jr. They have operated in this area for the past 11 years with aircraft, jet boats, and prop driven boats on most of the major waterbodies.

Following is specific information provided by Ron Hyde, Jr.:

Middle Fork Goodnews River - a stretch near confluence with Goodnews River is a primary landing for Widgeon, Goose, Beaver, 206 and 185 aircraft on floats used to transport clients and supplies. They also use 16' Deluxe Klamath boats with 55 h.p. jet engines and 15' Gregor boats with 25 h.p. prop engines with jackass lifts throughout the conveyance area. These two type boats constitute the main mode of transportation by Alaska River Safaris on all the waterbodies and will not be reiterated for each waterbody.

Barnum Creek - make 20-30 trips per season by boats, up this creek to the confluence of Camp Creek, with clients.

Tivyagak Creek - frequently travel by boat up this creek with clients throughout the conveyance area.

Gary Seitz

-2-

November 10, 1982

South Fork Goodnews River - heavy use area with clients in the type of boats referenced earlier throughout the conveyance area. Also floatplane landings by previously mentioned aircraft within conveyance area. This is also reported to be a heavy subsistence use area by villagers using skiffs with 25 h.p. prop engines.

Of significance along with this information, is the fact that it only took an hour of my time to gather this information. BLM was apprised of this particular user at the village meeting and did nothing to follow it up. Because of the quantity and significance of this information, I strongly urge BLM to contact any information sources they are made aware of so that proper credible navigability findings can be made. I believe an hour of someone's time is well spent in achieving this goal when consideration is given to the amount of time necessary to correct deficient decisions at a later date.

In conclusion, we urge BLM to find these four highways of travel navigable based on susceptibility to use in trade and commerce.

Sincerely,



Dennis P. Daigger
Natural Resource Manager

cc: Ron Hyde, Jr.
Kuitsaruk, Inc.
Calista Corporation
Paul Johnson
Bob Arnold

DPD:lln

**Goodnews River System
Interim Summary Report
Attachment 43**

Knik Kanoers & Kayakers
3014 Columbia
Anchorage, Alaska 99504
September 18, 1975

Rec'd 9/29/75

Mr. Dick Thompson, Associate State Director
Bureau of Land Management
555 Cordova St.
Anchorage, Alaska 99501

Dear Mr. Thompson:

Enclosed are justification forms on a number of rivers used by Knik Kanoers & Kayakers which require the reservation of public easements. Linear easements are needed on these rivers and streams to facilitate fishing, portaging, scouting rapids, rest stops, etc. Most also require campsite easements.

To summarize the enclosed justification forms, Knik Kanoers have used the following rivers which flow through lands which may be selected by Native corporations:

Agulowag River, Wood River, and the other major rivers of the Wood River country

Alagnak
Alatna
Birch Creek
Chickaloon (near Palmer)
Chitina
Chulitna (Lake Clark)
Copper (Wrangells)
Eagle (near Anchorage)
Eyak
Gulkana
John
Klutina
Kvichak
Little Susitna
Katanuska
Mulchatna
Nenana
Newhalen
Noatak
Porcupine
Stony
Tazlina
Tok
Tolovana
Tonsina

In addition to these rivers which Knik Kanoeers have used personally, we know of many others which have been utilized for recreational boating and fishing, rivers which have been recommended to us as being good float-trips, but for most of which we cannot cite specific names and dates of users. It would be tragic if these rivers were to be left without easements, and thus virtually closed to further public use, for lack of a champion. Since we know of no other organization which could undertake such a task (the Alaska Whitewater Association recently disbanded, turning over to us its files), we have attempted to do so. Our club is fairly small and loosely organized, and we have found this entire project-- information-gathering, poring over some 200 village withdrawal maps, marking needed easements on the maps which we turned in to the BLM this past spring, and preparing the justification forms-- almost impossibly burdensome and time-consuming, far more suited to the abilities of a federal agency with a large staff of clerks and cartographers and files full of data on recreational use, than to the talents of a group of recreational paddlers. It is lamentable that BLM was able to offer us no help whatsoever. The Knik Kanoeer who delivered the maps, for instance, found the doors of BLM's state office already locked at 4:23 p.m. After managing to gain entrance, she was unable to turn over the maps to the proper people because they had already gone home. Later a BLM employee--he did not trouble to introduce himself--showed up unannounced at one of our general meetings to complain because we had not submitted justification statements along with the maps. His purpose, plainly, was to criticize, not to offer assistance as a public servant is paid to do. We did not even find it possible to get our questions answered over the phone, since no one person seemed to be in charge of the easement issue, or at least the clerks and secretaries knew of no such person. In short, the BLM seemed to be attempting to make the recommendation and reservation of public easements as difficult as possible, insisting on meaningless red tape, setting impossible deadlines, failing or even refusing to provide the information we needed (the secret "guidelines" are a major case in point). A sorry performance indeed.

Now we understand that things are to be different. New guidelines more in keeping with your mandate to "protect...a full right of public use and access for recreation..." are to be issued, and you have been asked to give the Interior Department a list of those rivers which the public has used in the past for recreational purposes. We urge you to use the information contained in this letter for that purpose, as well as to guide you in the reservation of easements.

In the list below, the village withdrawal through which the river flows is listed in parentheses. To the right is given the information we have which indicates a history of recreational use.

~~— Ambler (Ambler):~~ a Bureau of Outdoor Recreation (BOR) "Phase 1" River. A list of 166 rivers was recommended to the BOR in 1972 by various governmental agencies and outdoor user groups on the basis of their excellence as recreational rivers qualified to

be added to the National Wild and Scenic Rivers System. Of these 166, the BOR in June 1972 culled a list of 69 for further study. These were the "Phase I" rivers. The Ambler was furthermore among the 35 "Study" rivers chosen later in 1972 for intensive investigation, including float trips on each of them. (Failure to be chosen for "Study" status is no reflection on a river's recreational values; that category tended to be based on ease of management and other political considerations.) In addition, the Ambler was among the 144 rivers statewide recommended for wild and scenic river status on the basis of their excellence as recreational resources by the Alaska Wilderness Council on Jan. 6, 1972 (hereinafter referred to as the Alaska Wilderness Council's "A" list; another covering 28 rivers was issued the same day, the "B" list).

Andreafsky (Andreafsky, Pilot Station, Pitkas Point, St. Mary's): on the Alaska Wilderness Council's A list (see above); a BOR Phase I and Study river.

Aniak (Aniak, Chuathbaluk): on the Alaska Wilderness Council's A and B lists; has been floated by Bethel resident Ray Baxter and by Sepp Webber (see the latter's article in Alaska Magazine, July and August 1971).

Arolik (Kuinhajak): Ray Baxter has run it and knows of two parties that traveled it this summer.

Beaver Creek (Beaver): on the Alaska Wilderness Council's A and B lists; on a similar list of 18 rivers prepared by the Fairbanks Environmental Center on Jan. 7, 1972, again as a recommendation for wild and scenic river status; a BOR Phase I and Study river; suggested for wild and scenic river study by ADF&G field personnel in 1966-67. Proposed by the Interior Department's d-2 legislation as a wild river. See article on trip by Albert Weber and party, Alaska Magazine, Sept. 1969.

Black (Chalkyitsik): on Alaska Wilderness Council's A list.

— Buckland (Buckland): on Alaska Wilderness Council's A list.

Caribou (Nelson Lagoon): on Alaska Wilderness Council's A list.

— Colville (Nooiksut): on Alaska Wilderness Council's A list; a BOR Phase I river.

Copper River-Iliamna (Kakhonak): on Alaska Wilderness Council's A and B lists; a BOR Phase I and Study river; heavily-used float-fishing stream.

Eek (Eek): former Bethel resident Cal Lensink knows of a party that ran the river this year.

— Fish (Council, Golovin, White Mountain): on Alaska Wilderness Council's A list; recommended by ADF&G field personnel in 1966-67 for study as a wild river.

Gibraltar River-Dream Creek (Kakhonak): Alaska Wilderness Council A list.

Goodnews (Goodnews Bay, Platinum): on Alaska Wilderness Council A list; floated as part of ADF&G stream survey, 1975; Bethel resident Ray Baxter and former Bethel resident Cal Lensink say it is run quite often.

Hodzana (Beaver): on Alaska Wilderness Council A list.

Holitna (Red Devil, Sleetmute): on Alaska Wilderness Council

A and B lists; recommended by ADF&G personnel in 1966-67 for study as a wild river; in conservationists' d-2 legislation of 1974 and 1975 as a wild river; a BOR Phase I and Study river; Ray Baxter also ran it in 1975.

Iliamna (Pedro Bay): on Alaska Wilderness Council's A list.
Innoko (Holy Cross, Takotna, Shageluk): on Alaska Wilderness Council's A list.

Kakhonak (Kakhonak): recommended by ADF&G field personnel for study as a wild river in 1966-67.

Kanektok (Kuinhajak): on Alaska Wilderness Council's A and B lists; a BOR Phase I and Study river; Ray Baxter has run it also.

Karluk (Karluk): recommended by ADF&G field personnel as a wild river in 1966-67; on the Alaska Wilderness Council's A list; a BOR Phase I and Study river.

Kisaralik (Akiak, Akiachak, Bethel, Kwethluk): on the Alaska Wilderness Council's A list; former Bethel resident Cal Lensink confirms that it has been run by recreational paddlers.

- Kobuk (Ambler, Kiana, Kobuk, Noorvik, Shungnak): recommended by ADF&G field personnel as a wild river in 1966-67; on the Alaska Wilderness Council's A and B list and the Fairbanks Environmental Center's list; a BOR Phase I river; Bob Waldrop and John Kauffman have run it (1973).

- Koyuk (Koyuk): on the Alaska Wilderness Council's A list.

Koyukuk (Alakaket, Alatna, Bettles Field, Hughes, Huslia, Koyukuk, Mary's Igloo): Alaska Wilderness Council A list; on the Fairbanks Environmental Center list; a BOR Phase I river. Long a major travel and exploration route.

Kwethluk (Akiachak, Akiak, Bethel, Kwethluk, Napaskiak, Oscarville): run by ADF&G in 1975 stream survey.

Lake Creek (Nelson Lagoon): on Alaska Wilderness Council A list.

- Meade (Atkasook): on Alaska Wilderness Council A list.

Melozitna (Ruby): on Alaska Wilderness Council A list; a BOR Phase I river; proposed for wild river status in conservationists' 1974-75 d-2 legislation.

Meshik (Port Heiden): Alaska Wilderness Council A list.

Niuklik (Council): Alaska Wilderness Council A list.

Nushagak (Ekuk, Ekwok, Clark's Point, Dillingham, Koliganek, New Stuyahok, Portage Creek): a BOR Phase I river. Paddled by Sepp Webber (see article in July-August 1971 Alaska Magazine).

Nuyakuk (Koliganek): recommended in 1966-67 by ADF&G field personnel for study as a wild river; on Alaska Wilderness Council's A and B lists; a BOR Phase I and Study river.

- Shaktoolik (Shaktoolik): on Alaska Wilderness Council's A list.

- Shungnak (Kobuk, Shungnak): on Alaska Wilderness Council's A list.

Situk (Yakutat): recommended by ADF&G field personnel for study as a wild river in 1966-67; on Alaska Wilderness Council A list; one of Southeast's major sport fishing streams.

- Squirrel (Kiana): a BOR Study river.

Tazimina (Iliamna, Newhalen, Nondalton, Pedro Bay); recommended by ADF&G field personnel for study as a wild river in 1966-67; on the Alaska Wilderness Council's A list.

Togiak (Togiak, Twin Hills); on the Alaska Wilderness Council's A and B lists; a BOR Phase I river.

Wild (Bettles Field); on the Alaska Wilderness Council's A list; a BOR Phase I and Study river. Run by Pat and Gene Earnest in 1965 (see Alaska Magazine, October 1973). Historically it was heavily-used by the public; it had its own gold rush in 1913-1915.

~~Wulik~~ (Kivalina); Bob Armstrong of ADF&G floated this good fishing stream some years ago.

Please disregard easement marked on the Tuluksak village map for the Tuluksak River; this was an error. Knik Kanoers have no evidence that the Tuliksak has been used for recreational purposes.

The statements made herein and in the attached justification sheets can be supported by affidavits and xerox copies of documents if required. We hope that this material is valuable to you in the reservation of public easements along these rivers. If you have questions, please do not hesitate to call me at 277-0770.

Sincerely yours,



Ed Swanson
President

- cc: Gov. Jay Hammond
- Sen. Ted Stevens
- Sen. Mike Gravel
- Rep. Don Young

UNITED STATES GOVERNMENT

Memorandum

**Goodnews River System
Interim Summary Report
Attachment 44**

TO : AM-M

FROM : Realty Specialist

DATE:

In reply refer to:
2650.47

SUBJECT: Trip Report for the week of July 3 thru 10, 1978,
to Goodnews Lake via Goodnews River.

Sandy Dunn, Russ Blome and I were prepared to leave Campbell Aristrip at 0800 July 3, 1978, but due to known icing conditions we cancelled the flight with the Baron and made arrangements to fly commercially to Bethel that evening. We arrived in Bethel and flew immediately to Platinum via Sea Airnotive charter. We partially readied the jet boat and repaired to the mining camp for the night.

Tuesday, July 4, Sandy and I prepared the boat and secured our equipment for departure while Wayne and Russ began to examine Native allotments in Goodnews Bay. We departed Goodnews Bay Village at about noon and by evening we encountered five men in two rafts that had been flown in by Armstrong Air Service from Dillingham. They had been on the river for four days since putting in at the lake. We stopped and chatted with the men for awhile and they continued downriver while we camped at gravel bar nearly opposite E.I.N. 7 at T. 11 S., R. 72 W., S.M., Section 21. The bank on the side of the river which the easement was located on did not provide safe beaching for the boat.

Wednesday, July 5, we headed upriver after a quick hot breakfast and met Ron Hyde (Alaska River Safaris) at noon. He had two clients with him, but was interested in talking further with us. Ron warned me of some shallow spots in the river ahead and that his 25' Duckworth jet boat would be coming down. Shortly after talking with Ron, we encountered the rest of his party which consisted of two rafts with two persons in each and a zodiac outboard with one employee. Right after this we went aground and were in the process of having a snack and assessing the situation when the Duckworth with three Alaska River Safaris employees came downriver and also got stuck. I helped them off the gravel bar and they assisted me with 2" x 6' x 8' planks used as prybars. They indicated that we could probably get within about six miles of the lake before running out of water. We thanked them and headed upriver. We began experiencing some minor overheating problems at this time so I raked the grate, checked the water intake lines and the fluid levels, but could find no definite cause of the overheating problem. We camped early this evening because we were quite tired from the days exertions. While camped, we took a short hike up the bluff and I pointed out the change in the terrain from moist tundra at the beginning of the trip to the subalpine tundra encountered in the foothills as we proceeded upriver.



Thursday, July 6, we got a good early start this day and were making good progress until the river broke down into what looked like several small creeks. I beached the boat and secured it and made ready to walk upstream to see if we were on the proper channel. Sandy fell partially in and stayed in the boat to change while I scouted ahead. The river came back together and we continued on up. But, by this time we were having to start and stop the engine in shallow ($2\frac{1}{2}'$ - $1\frac{1}{2}'$) water and this could have contributed to our overheating problems. We were still seeing set nets stored along the bank on this portion of the river and an occasional campsite consisting of tent-frame poles. It was at this point that we left the 1:63,360 USGS Quad Maps and had to go to the 1:250,000. We had clear sailing for awhile, but became grounded hard in a rock garden and stayed hung up for about 2 hours until we could shove off. We made another run at the rock garden and this time made it unscattered. We arrived at the upper lake at 1830 and stopped at the Washington State Archeologist's camp. While looking for a suitable campsite for the night we espied Ron Hyde's base cabin and decided to investigate. We met and talked at length with Mike and Nina Burnham, the caretakers. Mike and Nina provided the necessary support for the lake portion of Ron's river safaris.

Friday, July 7, I hiked up near the site of an airplane crash near the cabin to take some pictures of the area when the helicopter approached. I asked Russ to obtain some 2" x 6" x 8' boards for us to use if necessary, on the way downriver. He left and returned with them and the A and P mechanic, who helped us with some of the maintenance and troubleshooting on the boat. We departed the lake at 1830 hours and had progressed only a few miles when I made an error in river reading and we became lodged on the gravel bar. Sandy and I worked until late that night and early the next morning winching the boat into deeper water.

Saturday, July 8, we finished winching the boat free, once more started down river. Great concentration is necessary when going downstream because the additional speed of the boat due to the current shortens decision making time in readying the river. Many hours can be lost if the incorrect channel or slough is chosen, although a certain amount is unavoidable. We passed this night at the camp of Alaska River Safaris and met with them discussing easements, conveyances. The employees were very interested in the future of some of their campsites. I informed them that some of their camps were certainly on Native selected lands and that sometime in the near future they may have to deal directly with the Natives. The employees expressed their displeasure over this and asked if there were some relief, such as the islands in the navigable waters. I replied that islands with vegetation were not considered part of the streambed and would be conveyed as part of a village entitlement.

Sunday, July 9, because of the low water and the tricky places in the river ahead I returned Sandy Dunn with the helicopter, hired Ron Hyde Jr. to guide Russ Blome and I downriver as far as Platinum. Russ wanted some experience on the jet boat as he may be called to operate it at some later date. The helicopter returned, Ron Hyde, Jr. to his base camp while I brought maintenance on the boat up-to-schedule and prepared to make the crew shift the following morning.

Monday night, crew shift accomplished at high tide in Platinum. Cliff and Bob had mountains of gear compared to Sandy and myself and as I had predicted to her, we felt like a couple of veteran river runners as we boarded the plane to return us to Bethel. Sandy and Russ departed Bethel that evening on the jet while I stayed over with Wayne to coordinate the arrivals of Chuck Drummond, Gary McWilliams and Harding Smith. I departed Bethel on Tuesday, July 11, on the evening jet to Anchorage.

William M. Peake



United States Department of the Interior

IN REPLY REFER TO

BUREAU OF LAND MANAGEMENT

Alaska State Office
701 C Street, Box 13
Anchorage, Alaska 99513

F-14862-EE (75.4)
F-14862-A (2651)
(963)

Memorandum

OCT 18 1982

To: Files

From: Marty Karstetter

Subject: Trip Report of Meeting with Kuitsaruk, Inc., Near Goodnews Bay

On October 5, 1982, a meeting was held with Kuitsaruk, Inc., at the village of Goodnews Bay. The purpose of the meeting was to discuss the Draft DIC and Draft State Director's Memorandum pertaining to lands selected near Goodnews Bay. Those in attendance were as follows:

Kuitasruk, Inc.

Joseph Beaver
Christian Small
Joseph L. Martin
Mary Roberts

Calista Corporation

Felix P. Hess

State of Alaska

Jim Culbertson

Bureau of Land Management

Marty Karstetter
Lou Waller
Nell Alloway
Russ Blome

Goodnews River System
Interim Summary Report
Attachment 45

Kuitsaruk, Inc., was in complete agreement with the BLM's navigability determination. I pointed out that the State believes that the Indian River, Carter Creek, Tunilik River, Barnum Creek, Middle Fork and South Fork of the Goodnews River, Pusulik Creek and Inanik Lakes should also be determined navigable. The board offered that large skiffs could not readily travel any of the systems unless they are pulled them over the riffles. They did state that the first one half mile of the Tunilik River is useable by normal water craft and that the Middle Fork and South Fork of the Goodnews River are useable during periods of high water. Small water craft with 10 to 15 horsepower outboard motors can be used on the first mile of Indian River. The Inanik Lakes are totally unuseable as the system consists of only swamps and ponds which do not connect with Goodnews Bay or the Goodnews River. I pointed out that some of the systems had numerous

Native allotments located along them and that that indicated a susceptibility to navigation which would need further consideration. Jim Culbertson pointed out that the South Fork of the Goodnews River was traveled in 1888 by pole boat by the Warburton Pike exploration party.

Following is a summary discussion on each easement:

- a. (EIN 1 C3, C5, D1, D9, M) The board did not object to the reservations of this twenty-five (25) foot wide easement for the winter trail in T. 10 S., R. 75 W. They do not believe that an easement is necessary in T. 12 S., Rs. 73 and 74 W., as they use the ice on Goodnews Bay.

Considerable discussion evolved around whether the easement should be relocated to avoid Native allotments. The board did not think the trail conflicted with Native allotments in T. 10 S., R. 75 W. Further examination has indicated that the trail does in fact overlay some allotments. It was the State's position that the easement should be realigned to avoid the Native allotments.

- b. (EIN 9 C3, D1, D9) The board objected to the reservation of this twenty-five (25) foot wide easement for the existing trail as the route is not used.

Travelers use the river ice to Sec. 25, T. 12 S., R. 73 W., and then go east overland to public land. The board also stated that travel can only be accomplished during the winter as the land is swampy.

- c. (EIN 3 C3, C4, D1, D9) The board objected to the reservation of this fifty (50) foot wide easement for the existing trail. Objections stated were as follows:

1. No one travels this route anymore.
2. Miners do not use the trail any more as there is no mining activity at this time.
3. The trail is grown over.
4. EIN 12 C5 is closer and more convenient.
5. The owner of the mining claims, Jack Carlson, uses an airstrip to access the claims.

- d. (EIN 4 C3, C4, D1, D9) The board objected to the reservation of this fifty (50) foot wide easement for the existing trail. Objections stated were as follows:

1. No one uses this trail except in the winter.
2. Can't get to the mine except in the winter.

3. Groceries and fuels are hauled over the river.
 4. Adequate access is provided by the river.
 5. Mining equipment is transported via the river.
 6. The board does not want the easement.
- e. (EIN 8 C4, C6) The board objected to the reservation of this one (1) acre site easement. Objections stated were as follows:
1. River travelers are cutting the trees and littering.
 2. Site is located too close to the village.
 3. Site is located at an important subsistence area.
 4. Suggest locating the site at another area but so as not to conflict with Native allotments.
 5. Any relocation will conflict with Native allotments and fish camps.
 6. Recommend relocating the site to an island in Sec. 15, T. 11 S., R. 72 W.
- f. (EIN 11 C5) The board did not object to the reservation of this one (1) acre site easement.
- g. (EIN 11a C5) The board did not object to the reservation of this twenty-five (25) foot wide trail easement for the proposed trail.
- h. (EIN 12 C5) The board did not object to the reservation of this twenty-five (25) foot wide trail easement for the existing trail.
- i. (EIN 14 C5) The board objected to the reservation of this twenty-five (25) foot wide easement for the existing trail. Objections stated were as follows:
1. No one travels the route as there is no trail in the Goodnews Bay selection.
 2. Travelers use Goodnews Bay to get to Platinum.
 3. At times the travelers use a portion of the trail on the Platinum selection - but not the Goodnews selection.

Martin L. Kautler

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF RESEARCH & DEVELOPMENT

JAY S. HAMMOND, GOVERNOR

555 Cordova Street
Pouch 7-005
Anchorage, AK 99501
(907) 266-2653

File #2167.00

October 26, 1982

Mr. Robert Arnold
Assistant to the State Director
for Conveyance Management
Bureau of Land Management
701 "C" Street, Box 13
Anchorage, Alaska 99513

**Goodnews River System
Interim Summary Report
Attachment 46**

Re: F-14862-EE (75.4)
F-14862-A (2651)
(963)

Dear Mr. Arnold:

The State of Alaska has acquired additional evidence to support reservation of a reasonable pattern of 17(b) easements to be reserved on lands to be conveyed to Kuitsaruk, Inc., at the village of Goodnews Bay.

At the village meeting on October 5, 1982, Joseph Martin objected to the reservation of additional site easements along the Goodnews River because he alleged that recreational users of the river had created problems by cutting trees, littering, and interfering with the fish camps.

In order to ascertain public use along the Goodnews River, I contacted Ron Hyde, owner of Alaska River Safaris and river guide on the Goodnews River for 11 years. Mr. Hyde has had a very good relationship with the villagers and has hired local villagers as guides and camp help for many years. He stated he has cleaned up litter left by others on the river and has attempted to keep others from littering, to the extent of pursuing charges in 1979 with Officer Van Wilison of the Bethel post. Recently, Mr. Hyde's son, Ron Hyde, Jr., who lives in the village, was appointed to the position of village policeman for the purpose of litter patrol and enforcing other city ordinances. During the off season, he has hunted and trapped with local Natives.

Mr. Hyde was surprised to learn that the villagers felt that large skiffs could not readily travel up the Middle Fork of the Goodnews River because he has been taking rafting parties up it by power boat for years.

The following information was presented by Mr. Hyde.

- 1) Alaska River Safaris averages 80 river floaters on the Goodnews River per season and approximately 100 other guests by power boat.

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- 2) There are approximately 50 to 60 other floaters on the river during the summer.
- 3) During the peak of the season as many as 35 people may be on the river at the same time.
- 4) The trip through the conveyance area takes two to four days, depending on the weather conditions. At times floaters can be traveling into a 35 mph headwind in heavy rain.
- 5) Floating parties on the river average four stops per day.

Based on present and existing use as identified by Mr. Hyde, the site easements proposed by the state (as identified on the attached map) provide a reasonable pattern of travel along the Goodnews River and the Middle Fork of the Goodnews River. Solid triangles represent proposed overnight camping areas and open triangles represent proposed site easements with no overnight camping. Based on the best available information, none of these proposed sites conflict with Native allotments.

The State of Alaska offers the following information on specific trails proposed for Reservation.

EIN 1

This trail should be realigned on the ice of Goodnews Bay to Section 19 T. 12S., R. 74W., S.M. and in T. 10S., R. 75W., S.M. to avoid Native allotment conflicts as shown on the attached map. This trail is suitable for winter use only.

EIN 9

We concur with the villagers proposed realignment of this easement through Section 25. T. 12S., R. 73W., S.M. and Section 21. T. 12S., R. 21W. S.M. if the Native allotment located in Section 25 is avoided by using the unnamed slough. This trail is suitable for winter use only and is used for intervillage travel and access to public lands.

EIN 3

This trail receives use for intervillage travel to villages on the Lower Kuskokwim. It is also used by trappers in the surrounding hills to access Goodnews Bay to obtain supplies. This trail is suitable for year round use and movement of heavy equipment. Alternative access from EIN 12 is not topographically feasible nor environmentally sound.

EIN 4

This trail receives year round use for access to public lands by trappers and schoolteachers and intervillage travel by the people of Togiak, Quinhagak, and Platinum. The Goodnews River is not a reasonable alternative because of dangerous ice conditions caused by fast moving water, overflow,

BUREAU OF LAND MANAGEMENT
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and unstable beaver houses. The Goodnews River cannot, and has not, been used for the transport of heavy equipment to the Wattamuse Mine. Clyde Hoffman of Bethel will need to use this route to bring in new heavy equipment as well as any new miners entering this area of high mineral potential. The state finds rerouting this trail around pending Native allotment applications feasible and desirable. The proposed realignment is shown on the attached maps.

EIN 11a

The state recommends that this proposed trail be deleted to avoid Native allotments.

EIN 12

The state concurs with this proposed trail.

EIN 14

The state concurs that the villagers proposed relocation of this easement across the Platinum selection is the location of present existing use. However, it cannot be reserved as the lands have already been conveyed to Platinum. A reasonable alternative would be to connect to the reserved trail through Section 35. T. 12S., R. 73W., S.M, as shown on the attached map.

Additional information will be forthcoming on navigability.

If you have any additional questions or would like to discuss this further, you may contact me at 265-4389. Mr. Hyde may be reached at 333-2860.

Sincerely,



James E. Culbertson
Natural Resource Officer

Attachment

cc: Joseph Martin
Kuitsarak Inc.
Goodnews Bay, Alaska 99620

Felix Hess
Calista Corporation
516 Denali Street
Anchorage, Alaska 99501

Ron Hyde
Alaska River Safaris
4909 Rollins Dr.
Anchorage, Alaska 99504

BUREAU OF LAND
MANAGEMENT
ANCHORAGE AK.
RECEIVED
NOV 3 10 07 AM '82

**Goodnews River System
Interim Summary Report
Attachment 47**

JAN 25 1983

Handwritten:
Hess
1/26/83

Memorandum

TO : Files

FROM : Natural Resource Specialist

SUBJECT : Recommended Easements for Goodnews River Area

- References:
- a) State of Alaska Department of Natural Resources letter from James E. Culbertson to Robert Arnold, Bureau of Land Management, dated October 26, 1982.
 - b) State Director, Alaska, Bureau of Land Management memorandum to Chief, Division of Technical Services, dated April 4, 1978.
 - c) State Director, Alaska, Bureau of Land Management letter to Co-Chairman, Federal-State Land Use Planning Commission, dated March 31, 1978.
 - d) Calista Corporation letter from Felix P. Hess to Robert Arnold, Bureau of Land Management, dated October 29, 1982.
 - e) Marty Karstetter, Bureau of Land Management, Branch of Easement Identification, memorandum to files, subject: trip report of meeting with Kuitsaruk Inc., near Goodnews Bay, dated October 18, 1982.

My recommendations for site and trail easements for the Goodnews Bay Area follow:

- 1) Delete trail EIN 9 and substitute a parallel trail about 1½ miles south up the Goodnews River as far as the northern boundary of Sec. 25, T. 12 S., R. 73 W., Seward Meridian, and then follow the abandoned channel along the shortest route to public land in Sec. 30, T. 12 S., R. 72 W., Seward Meridian. (See reference e and attachment 2).
- 2) Delete trail EIN 14 and substitute a trail up the Goodnews River as far as the northern boundary of Sec. 35, T. 12 S., R. 73 W. and then to the SE corner of Sec. 35 to where the old trail EIN 14 intersects the southern boundary of the township (see references a, d, and attachment 2).
- 3) Retain trail EIN 4 for winter travel when parts of the Goodnews River are hazardous. (See attachment 1).

4) Retain site EIN 11 and trail EIN 11a for river travel and for access to nearby public land. (See reference e).

5) Retain site EIN 8 for overnight stops during summer travel on the Goodnews River. Note that earlier (see references b and c) site EIN 5 was deleted because it was just five miles from public land on the bayshore and site EIN 8 was only three miles east; also site EIN 7 was deleted because it was about half way between sites EIN 8 and EIN 11, which are about ten river miles apart. These deletions were made based on the retention and availability of site EIN 8.

During our discussions with Ron Hyde and Ron Hyde Jr., it became clear that for continued traditional use of the Goodnews Rivers there is a great need for additional site easements (see references a and attachment 1) i.e., those site easements proposed above still would not be adequate for current uses of the rivers.

S/ Dwight Hovland

Enclosures (2)

1. Notes on conversation with Ron Hyde and Ron Hyde Jr.
2. Notes on conversation with Marty Karsetter, et al.

I concur with the findings and recommendations contained herein.

.....
Date

Area Manager

018:DHovland:lar:1/25/83

Attachment 1.

Notes on conversation with Ron Hyde and Ron Hyde Jr., of Alaska River Safaris, Russ Blome and Dwight Hovland of McGrath Resource Area, October 26, 1982.

By telephone I had requested Ron Hyde of Alaska River Safaris to stop by the McGrath Resource Area office to help us gain more information about the uses and characteristics of the Goodnews Rivers. He has a number of years of experience of running and floating the rivers. He and his son, Ron Hyde Jr., came to this office October 26, 1982. Some points they made follow:

1. The BLM proposed site easement (EIN 8) is at the confluence of the Goodnews River and the Middle Fork Goodnews River. From this site, activities up both rivers can be observed and any activities near the confluence may be witnessed.
2. The site (EIN 8) is not a high subsistence use area.
3. The Hydes showed us (Hovland and Blome) a map that they had prepared showing site locations that they recommend for rest stops and overnight camps for any member of the public (such as hypothetically their brother, Russ or me) that floats these rivers. I copied their site locations onto the easement maps in the Goodnews file. The open red triangles represent rest stop sites and the solid red triangles are for overnight use.
4. They contrasted the kinds of uses of the rivers such as (a) floating the river as fast as you can. (b) floating the river leisurably while catching fish, etc. The latter would require more stops per unit length of river.
5. They reported that quite a few individuals float the river in addition to Alaska River Safari clients.
6. They emphasized difficulties with the weather - unexpected storms can catch you on the rivers. High tides combined with southwest winds can flood low lands along the lower reach of the river.
7. If several groups of people are floating the rivers at one time and get bunched up due to weather, all of the sites proposed on their map (see 3 above) will be needed to provide safe footing for all.
8. The only subsistence use in the area occurs after the middle of August. There is no fixed pattern to the subsistence, subsistence users go where the fish are - it may be anywhere along the rivers.
9. The Hydes use a number of different types and sizes of boats (25 foot jet, 15 foot zodiac, 18 foot lund, 16 foot and 17 foot skiffs) up both the Goodnews and Middle Fork Goodnews Rivers and they even run skiffs and jet boats about eight miles up the South Fork Goodnews River.

10. The Alaska Department of Fish and Game has established a fish counting camp 12 miles from Goodnews Village up the Middle Fork Goodnews River, in Section 3, T. 12 S., R. 72 W., Seward Meridian. They hauled all the equipment up the river. It is included lumber for tents, tower and weir. The boats were a 15 foot skiff and a 22 foot flat bottomed river boat. (The details came from Hovland's call to Keith Schultz, ADF&G in Bethel).
11. Trail (EIN 9) towards Togiak is used by people from Togiak and other villages all winter long - they use snow machines and three wheelers, etc. They usually stay away from the river in the winter, instead they use the higher ground for winter travel. The common sense approach is to use a combination of rivers and higher ground, if the ice is suitable use it for a ways. Much depends upon the weather (visibility, wind, snow cover, ice thickness, over flow, etc.).
12. Trail (EIN 4) up the Goodnews River drainage also is used frequently during the winter. There is some activity at the Wattamuse Mine but the trail has not been used to transport heavy equipment for a long time.
13. They referred us to Clyde Hoffman of Bethel for more Wattamuse information and D.D. Johnroe for ADF&G fish counting information.
14. They also pointed out that the rivers had changed a lot since our aerial photos and maps were made.

Dwight Hovland
01/26/83

Attachment 2

Regarding: Goodnews Easements

Notes on conversation with Marty Karstetter and Terry Hassett of Branch of Easement Identification and Dave Kelley, Russ Blome, and Dwight Hovland of the McGrath Resource Area, October 18, 1982.

At 2:00 p.m. October 18, 1982, Dave Kelley, Russ Blome and Dwight Hovland of McGrath Resource Area met with Marty Karstetter and Terry Hassett at BLM, Alaska State Office, Branch of Easement Identification. The purpose of the meeting was to further consider what easements to recommend for the Goodnews area. Marty supplied each of us with a copy of his trip report of meeting with Kuitsaruk, Inc., near Goodnews Bay, dated October 18, 1982 (F-14862-EE/F-14862-A). After a number of comments on that meeting of who objected to what and why and what criteria BLM uses in identifying easements we asked Marty to summarize his understanding of the Goodnews easements. His response was as follows:

1. EIN 3 trail probably should be kept.
2. EIN 9 trail should be dropped in favor of an alternate parallel and about 1½ miles south.
3. EIN 8 site should be recommended.
4. EIN 4 trail is not needed on the upper part since the river serves as an alternate.
5. If access is needed to the upper end of EIN 12 trail then it and the lower part of EIN 4 trail are needed.
6. Change trail easement from Goodnews Village to Platinum Village.

Dwight Hovland
01/20/83



United States Department of the Interior

RECEIVED
OCT 11 8 51 AM '85
FISH AND WILDLIFE SERVICE

REFUGEE MANAGER

ADQ PROCUR. INSTRUMENT
ADD. INSTRUMENT
BLM
ANCHORAGE DIST. OFF.
WOGIAK NATIONAL WILDLIFE REFUGE

P.O. BOX 10201

DILLINGHAM, ALASKA 99576

October 9, 1985

IN REPLY REFER TO:

Goodnews River System
Interim Summary Report
Attachment 48

Mr. Terry R. Hassett
Bureau of Land Management
Alaska State Office
701 C Street, Box 13
Anchorage, Alaska 99513

Dear Mr. Hassett:

Attached per your instructions is a blue line quad map identifying ten potential site easements for the Goodnews Rivers (North and Middle Forks). Approximate location of each site easement is marked in red.

These site easements are needed for the following reasons: Refuge personnel will be conducting fishery studies, wildlife inventories, law enforcement, and public use monitoring programs on the Goodnews Rivers. These easement sites are necessary to provide temporary site locations for fish and wildlife monitoring stations and to periodically accommodate overnight camps by refuge personnel.

Public use, primarily sport fishing is increasing on the Goodnews Rivers. In 1984 an estimated five sport fish guides used the rivers and in 1985 it is estimated at nine guides. Estimated guided clients were 240 for 1984 and 300 for 1985. Estimated unguided use for 1984 and 1985 were 135 and 200 people respectively. Site easements are needed to facilitate use by the general public primarily in the form of overnight camp sites.

Ten sites were selected because more than one site may be used simultaneously and some sites may not be suitable depending on yearly water levels and seasonal water fluctuations.

Please contact this office if you have any questions concerning these site easements.

Sincerely yours,

David A. Fisher
Refuge Manager

Attachment:

OCT 10 5 36 AM '85



RECEIVED United States Department of the Interior

1986 FEB -6 PM 12:35

FISH AND WILDLIFE SERVICE

IN REPLY REFER TO:

BUREAU OF LAND MGMT.
ANCHORAGE DISTRICT OFF.

REFUGE MANAGER

TOGIAK NATIONAL WILDLIFE REFUGE

P.O. BOX 10201

DILLINGHAM, ALASKA 99576

February 4, 1986

Mr. Robert Conquergood
Area Manager - McGrath Resource Area
Bureau of Land Management
4700 East 72nd Avenue
Anchorage, Alaska 99507

Goodnews River System
Interim Summary Report
Attachment 49

Dear Mr. Conquergood:

An additional site easement is needed in the NW 1/4 of Section 32, T11S, R72W, hereafter called S32. An easement here would provide a suitable spot where people floating the north fork of the Goodnews River could camp temporarily. This would allow floaters plenty of time to reach the site easement in the NW 1/4 of Section 19, T12S, R72W, hereafter called S19. The S19 easement is a good spot for air charter operators to pick up river floaters, but is not suitable for temporary camping as it is submerged during high river levels and high tides. The easement in SW 1/4 NE 1/4 of Section 2, T11S, R72W, hereafter called S2, is located too far up river to allow floaters to reach S19 in a normal day's float. It is just about impossible to reach S19 from S2 in a day, if the weather is bad, especially a wind blowing up river from the southwest. The State of Alaska is correct, travel between S2 and S19 would take more than thirteen hours if facing a headwind. Therefore, site easement S32 is necessary to allow a reasonable pattern of travel on this portion of the river.

Refuge personnel (myself included) floated the north fork of the Goodnews River in July 1985. We camped within 1/16 mile of easement S2. The next day, under normal river and weather conditions, we floated to NE 1/4 of Section 18, T12S, R72W, where we spent the night. The following day we were picked up at S19 during a high tide. As I remember, we had to disassemble our rafts and equipment in about 10-12 inches of water. Had we encountered a headwind the previous day, we would not have made it to Section 18. I believe this demonstrates the need for the S32 easement, not only to allow a reasonable pattern of travel, but also from a safety standpoint.

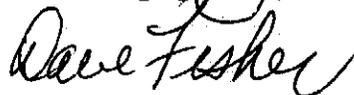
In 1985 an estimated 125 people floated the northfork of the Goodnews River. Our records show that about 90% of these were picked up at S19. This use is expected to increase during 1986.

Refuge records indicate no site easements exist on the middle fork of the Goodnews River. A site easement is needed in the SW 1/4 of Section 9, T12S, R72W (S9) for the same purposes as stated above (i.e., to provide river users a temporary camping site after leaving Refuge land prior to reaching S19). The middle fork does not receive the floating use that the north fork does, about 25 people floated the river in 1985, - however the use is expected to increase in the future.

The approximate location of recommended site easements is marked in red on the attached map. It is strongly recommended that these sites be ground truthed early this summer by either BLM or Refuge personnel. This would assure that each site is a usable site.

Please contact this office if you have any further questions.

Sincerely yours,



David A. Fisher
Refuge Manager

DF:sf

Attachment

cc: B. Hiller/FWS/Realty
Files

BILL SHEFFIELD, GOVERNOR

RECEIVED
DEC 23 12:23 PM '85
DEPARTMENT OF FISH AND GAME
BUREAU OF LAND MANAGEMENT
ANCHORAGE DISTRICT OFFICE
December 19, 1985

P.O. BOX 90
BETHEL, ALASKA 99559-0090

Robert Conguergood, Area Manager
McGrath Resource Area
Bureau of Land Management
Anchorage District Office
4700 East, 72nd Avenue
Anchorage, Alaska 99507

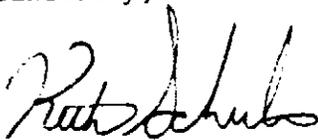
**Goodnews River System
Interim Summary Report
Attachment 50**

Dear Mr. Conguergood:

I would favor the addition of easements Secs. 29 and 32, T. 11 S., R. 72 W., Seward Meridian; and Secs. 3 and 9, T. 12 S., R. 72 W., Seward Meridian in the Goodnews Bay area. The addition of these easements would allow for a more reasonable pattern of travel on these two rivers.

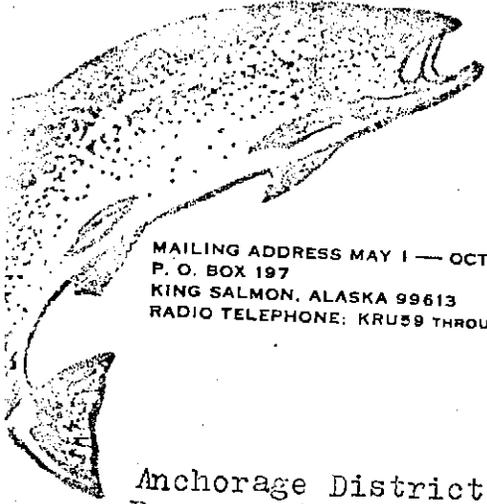
I have floated the mainstem north fork, Goodnews River and have traveled by boat on both rivers. The Department operates a counting tower on the middle fork, Goodnews River in Secs. 9, T. 12 S., R. 72 W., Seward Meridian. My personal experiences would agree with the assertions that with these easements, the time required to travel the river by raft in the conditions prevailing in this area would be provide a realistic camp locations for person utilizing these rivers.

Sincerely,



Keith Schultz
Fishery Biologist

2



ED AND JOSEFINA SEILER'S
Enchanted Lake Lodge

ALASKA PENINSULA Office

May 29 1976
JUN 1 1976

MAILING ADDRESS MAY 1 — OCT. 15
P. O. BOX 197
KING SALMON, ALASKA 99613
RADIO TELEPHONE: KRUS9 THROUGH KING SALMON

Bureau of Land Management
Anchorage, Alaska

MAILING ADDRESS: OCT. 16 — APRIL 30
P. O. BOX 727
SANTA YNEZ, CALIFORNIA 93460

Anchorage District Office
Bureau of Land Management
4700 East 72nd. Ave.
Anchorage, Alaska

**Goodnews River System
Interim Summary Report
Attachment 51**

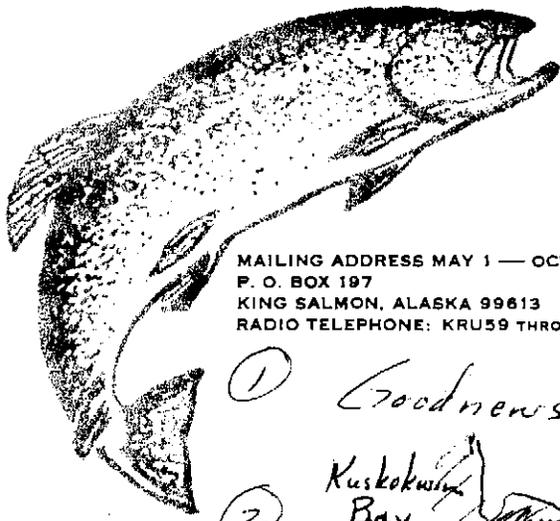
Gentlemen:

In response to your appeal for public help in identifying present recreational use of Alaskan waters I enclose herewith twelve sheets each describing usage by Enchanted Lake Lodge of specific waters identified thereon. The numerals used on each item of information refer to the format suggested in your newspaper appeal as I have numbered them on the enclosed copy.

Needless to say, your efforts to obtain easements for public use on Alaska's lakes, rivers and streams will be much applauded by present generations as well as posterity. Good luck!

Sincerely yours,

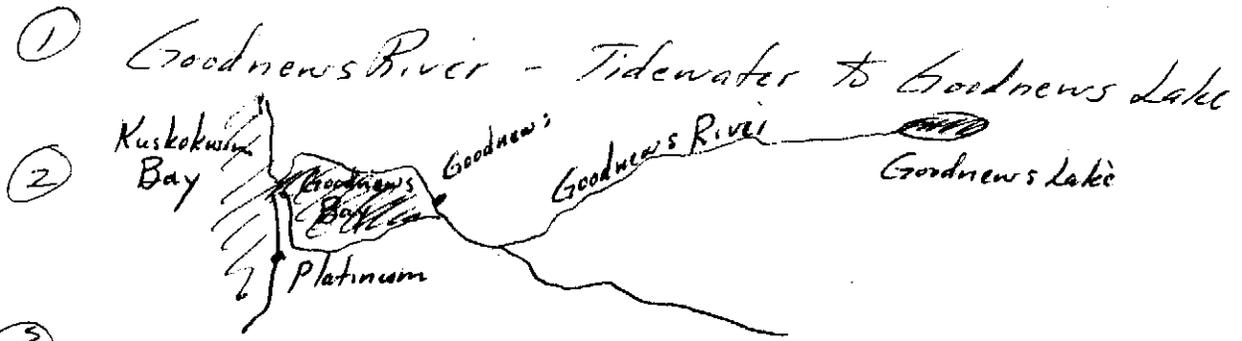
Edwin W. Seiler



ED AND JOSEFINA SEILER'S
Enchanted Lake Lodge
ALASKA PENINSULA

MAILING ADDRESS MAY 1 — OCT. 15
P. O. BOX 197
KING SALMON, ALASKA 99613
RADIO TELEPHONE: KRUS9 THROUGH KING SALMON

MAILING ADDRESS: OCT. 16 — APRIL 30
P. O. BOX 727
SANTA YNEZ, CALIFORNIA 93460



- ① Goodnews River - Tidewater to Goodnews Lake
- ②  Kuskokwim Bay, Goodnews Bay, Platinum, Goodnews River, Goodnews Lake
- ③ Float Plane
- ④ Fishing, photography, sightseeing
- ⑤ June - September
- ⑥ Rubber Raft - Canoe
- ⑦ King, Coho & Chum Salmon, rainbow & Mackinaw Trout, C.
- ⑧ ~~Rubber Raft, canoe~~
- ⑨ 6 yrs
- ⑩ 11 yrs
- ⑪ 5 in party
- ⑫ Every year
- ⑬ Numerous
- ⑭ Dillingham & Platinum residents, Dillingham & Anchorage Guides
- ⑮ Scenic, good fishing
- ⑯ High

**Goodnews River System
Interim Summary Report
Attachment 52**

DEAR MS. ARVOL;

If you REALLY enjoy the outdoors and would like to spend more time in Alaska's wilderness but feel that the costs are just too high, WE HAVE AN OFFER YOU WON'T WANT TO REFUSE. For a very limited time, ALASKA RIVER LINK offers a special Wilderness Membership good for THREE CONSECUTIVE YEARS of hunting, fishing, hiking or whatever you want to do, wherever you want to do it, for just \$2,500.00. Wait! That price covers TWO PEOPLE, and you both are GUARANTEED one free river trip each summer for three years

Stop and do a little figuring. Dollar for dollar, you can't beat that price, even if you own your own plane. We supply ALL camping equipment (Tents, cooking gear, lanterns, ground cloths, etc.) PLUS top-of-the-line canoes with full safety gear. We fly your party to the location of your choice (We have lots of prime spots), point out the principal features of the area that you should know, and leave you alone to enjoy the real wilderness. Of course, we check daily just to be sure you're O.K. and then pick you up at the end of your trip. We think that's a lot!

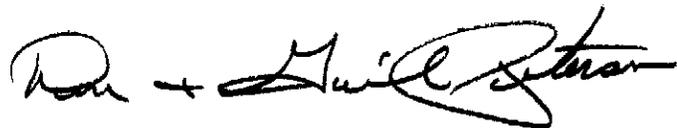
Our Special Wilderness Memberships are also good for even MORE time in Alaska because if you want to see other areas in addition to your favorite fishing hole, we'll take you there for up to 75% OFF our regular season price! Also you can take advantage of this extra-savings feature anytime during the three-year membership period.

We want you to know that Alaska River Link, Inc. is a company owned and operated by long-time Alaskans who had the privilege of living in the 49th State many years. We KNOW wilderness areas and have travelled the state many times in search of the right lakes and rivers for outstanding hunting, fishing and scenery like nowhere else in this world.

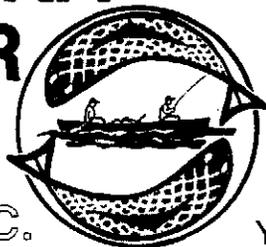
We want to share the beauty of this great state with other people who work for a living and that's why we designed our special Wilderness Membership. Check us out, by all means, and then give us a call. We'll be happy to discuss hunting, fishing or any other wilderness interest you may have.

We can accept only a limited number of Special Memberships at this price which is why we encourage you to give us a call today.

See you on the river,



**ALASKA
RIVER
LINK, INC.**



Your Affordable Link to the Alaskan Wilderness

ALASKA RIVER LINK, INC.
P.O. BOX 77-4828
Anchorage, Alaska 99577

Departure schedule for 1985 season.

C= Chandlar / BB= Bristol Bay area / K= Kuskokwim.

following letter represents number of days including flight time.

DAY	JUNE	JULY	AUGUST	SEPTEMBER
1	BB5, K5	BB5, K5	BB7, K7, C8	
2	BB7, K7	BB7, K7		C8
3	C8			BB5, K5
4		C7	BB7, K7	
5	BB7, K7	BB7, K7	C8	C8
6	C8			BB5, K5
7		C8	BB5, K5	BB7, K7
8	BB5, K5	BB5, K5	C8	
9				C7
10	C8	C8	BB5, K5	BB7, K7
11	BB5, K5	BB5, K5	BB7, K7	
12	BB7, K7	BB7, K7	C8	C8
13	C8			BB5, K5
14		C9	BB7, K7	
15	BB7, K7	BB7, K7	C8	C8
16				BB5, K5
17	C8	C8	BB5, K5	BB7, K7
18	BB5, K5	BB5, K5		
19			C8	C7
20	C8		BB5, K5	BB7, K7
21	BB5, K5	BB5, K5	BB7, K7	
22	BB7, K7	BB7, K7, C8	C8	C8
23				BB5, K5
24	C7	C9	BB7, K7	
25	BB7, K7	BB7, K7		C7
26			C8	BB5, K5
27	C8		BB5, K5	
28	BB5, K5	BB5, K5		
29		C8	C8	
30	C8		BB5, K5	
31		BB5, K5	BB7, K7	

ALASKA
RIVER

N
K, BB

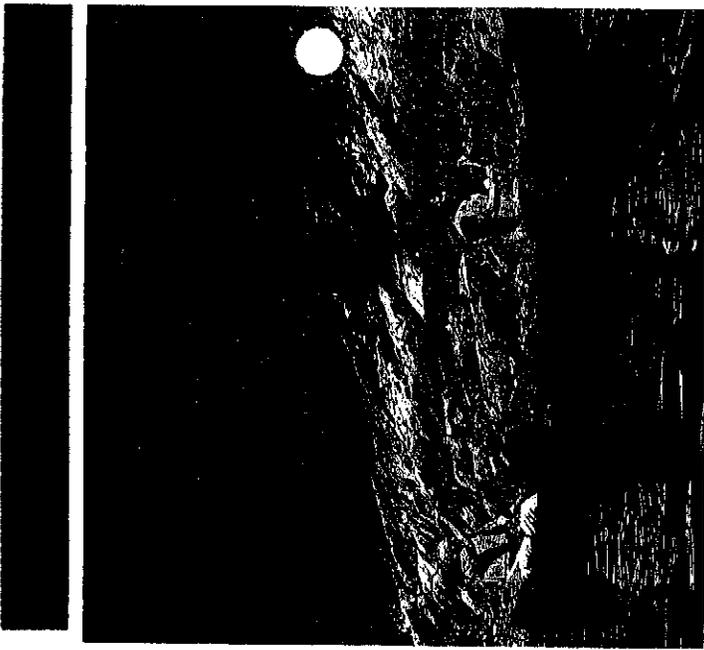


Your Affordable Link to the Alaskan Wilderness

MAY

27 - C8
29 - BB-5, K-5
30 - C8

AFFORDABLE FLY-IN CANOEING



ALASKA RIVER N K, INC.

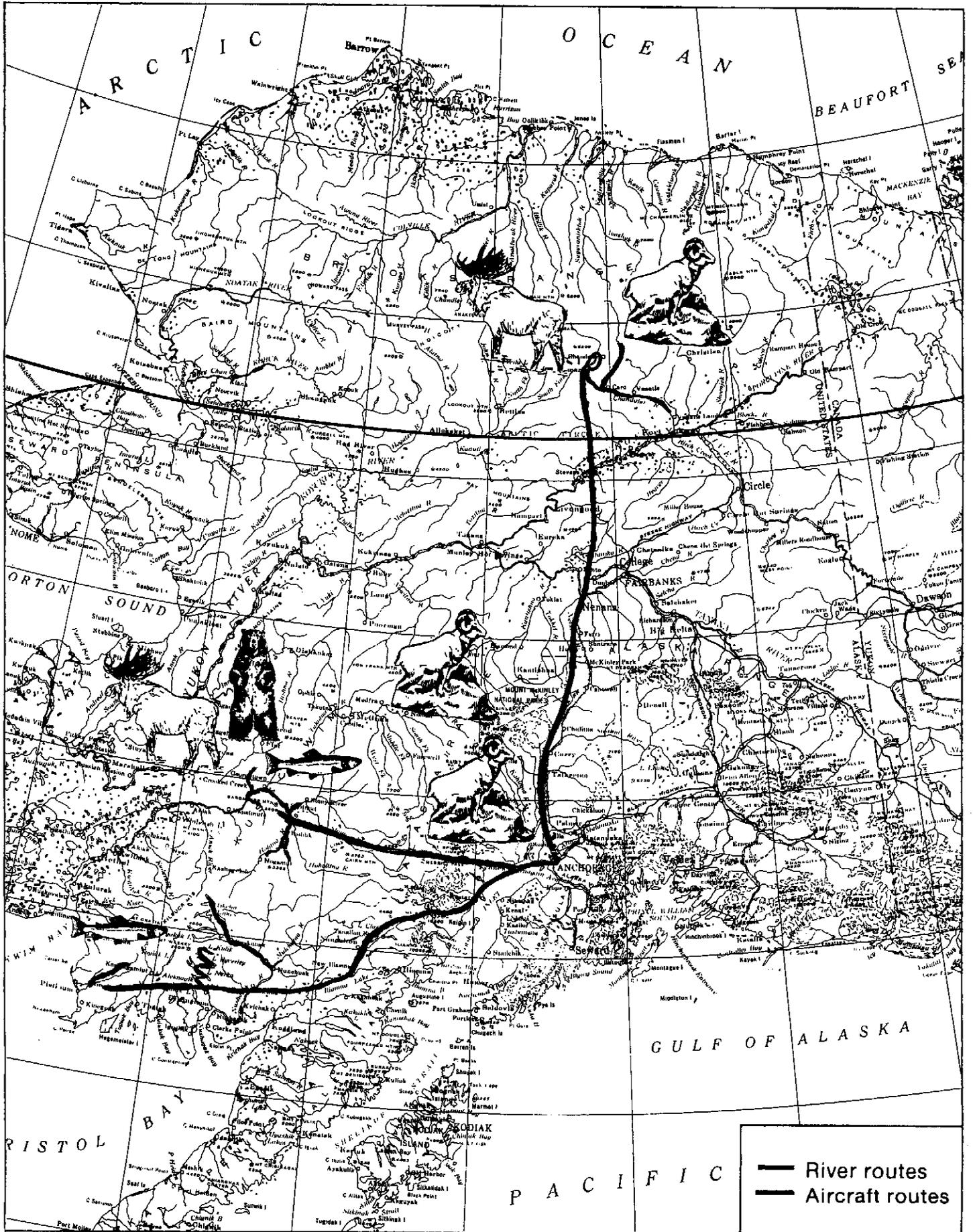


**YOUR "AFFORDABLE" LINK
TO THE ALASKA WILDERNESS**

Featuring:

- * BRISTOL BAY
- * KUSKOKWIM BASIN
- * BROOKS RANGE (North of the Arctic Circle)
- * Alaska's Finest Fishing, Hunting, Outdoor Recreation

Using Bush Planes and Canoes as an unequalled team for the discriminating sportsman.



\$625.00 (BROOKS RANGE) \$625.00



The Brooks Range (North of the Arctic Circle, 400 miles from Anchorage) contains the most northern mountains in Alaska. This beautiful mountain range houses some of the most wild and undisturbed areas in the world. Among the many splendors of the Brooks Range are clean rivers teaming with fish, breathtaking vistas, and abundant wildlife.

Accessible only by aircraft, your journey will begin with a flight you'll not soon forget. Some of the splendors you'll have a chance to see enroute are the Alaska Range housing the great Mount McKinley (Denali), Usibelli Coal Mine (largest coal mine in Alaska), Fairbanks, the Alaskan Oil Pipe Line along with the Haul Road, and the Yukon River.

Your pilots, aside from being experienced aviators, are Alaska residents; proud of Alaska. They thoroughly enjoy showing all the beautiful sights that can only be seen from the air.

When your landing site on streams of the Chandalar River System is reached, you will be outfitted with a sleek canoe and begin a trip that will be remembered as perhaps your most intimate experience with nature.

Here you will be able to fish for arctic grayling, char, white fish, and northern pike.

Or maybe you will have a chance to view many animals in the area, including: Oall sheep, caribou, moose, grizzly, wolves, red fox, black bear, lynx, and beaver.

\$625.00 (BRISTOL BAY AREA) \$625.00

Have your cameras loaded and ready to shoot soon after takeoff. This flight will take us down the west shores of the Cook Inlet, through Lake Clark Pass, giving us plenty of time to watch for sheep, moose, and bear that inhabit the area. Your pilot will afford you plenty of opportunities to film glaciers, water falls, and the jade blue waters of Lake Clark.



Bristol Bay is the heart of Alaska's salmon population and the rivers that run into the bay must be considered the veins of life the salmon use to reach their spawning grounds. If fishing is your pleasure, let us fly you to the best. Along with salmon, you'll be fishing in a stream offering rainbow trout, lake trout, grayling, arctic char and Dolly Varden. It is truly a fisherman's paradise.

\$625.00 (KUSKOKWIM BASIN) \$625.00



If you thirst for variety in your adventures, this is your cup of tea. Experience fighting a huge king salmon, stalking a moose, or visiting the lure of native culture.

If moose or bear hunting is of interest to you and you are tired of the "combat zone" type hunting, try this area. The combination of plenty of animals, few hunters, and the ease of hunting via canoe will, without a doubt, make you a yearly "fly-in hunter."

The small lakes in the area play host to a menagerie of water fowl. They also offer the sports fisherman a fight of a lifetime when he hooks a lunker northern pike. In the rivers themselves, a fisherman will be able to set the hook on salmon, trout, dolly, and the little known, but exciting shee-fish.

People who really enjoy the outdoors find the canoe to be the very finest mode of transportation for hunting, fishing or just plain enjoying nature at its best. We have selected rivers that the family can enjoy without the cost or need of a guide. When you're on the river you have up to 160 miles of Alaska to enjoy. However we pass by daily, just to say hello and make sure all is well.

Our trips range in length from 4 to 8 days at one very affordable price of \$625 per person (minimum of two people per canoe). We provide all air and water transportation, canoes, and complete complimentary camping gear. All you need is your personal clothing, fishing or hunting gear, licences and a camera with lots of film.

ALASKA RIVER LINK maintains a catch and release fishing policy; however, on the final day of fishing you will be allowed to bring home your legal limit of any species of fish (combined fish weight not to exceed 50 lbs.). Don't forget your Alaska fishing license.

RESERVATIONS: Because of the short season we recommend making your reservations early. A 50% deposit is required to confirm booking. Full payment is required 60 days in advance of departure date. Reservations made less than 60 days prior to departure must be accompanied by full payment.

Cancellation received 60 days prior to departure will receive full refund — 50% will be refunded up to 30 days in advance of departure date — less than 30 days the deposit will be forfeited.

RESPONSIBILITY: ALASKA RIVER LINK assumes no responsibility nor liability for any loss, damage, or injury to persons or property, and/or travel agent booking the trip will not be responsible for any expenses due to delays or cancellations. It is very important that our clients be aware that weather can delay your departure and return from the bush. Clients should have a flexible schedule and will be responsible for their own food and lodging if delayed due to weather or other factors which are uncontrollable by ALASKA RIVER LINK.

Master Charge and Visa accepted

Alaska River Link
P.O. Box 774828
Eagle River, Alaska 99577
(907) 248-5063

(Just a short drive from Anchorage.)



IN REPLY REFER TO:

United States Department of the Interior

TOGIAK NATIONAL WILDLIFE REFUGE
U.S. Fish and Wildlife Service
P.O. Box 10201
Dillingham, Alaska 99578

RECEIVED

1985 MAR -7 PM 12: 26

BUREAU OF LAND MGMT.
ANCHORAGE DISTRICT OFF.

February 28, 1986

Goodnews River System
Interim Summary Report
Attachment 53

Mr. Robert Conquergood
Area Manager - McGrath Resource Area
Bureau of Land Management
4700 East 72nd Avenue
Anchorage, Alaska 99507

Dear Mr. Conquergood:

A site easement is needed in the SW 1/4 of Section 9 T12S, R72W, hereafter called S-9. The major purpose of this easement is to provide river users (primarily river raft floaters) a temporary camping site after leaving the refuge prior to being picked up by air charter operators at site easement, NW 1/4 of S19, T12S, R72W, hereafter called S-19.

Once river users leave or exit the refuge and continue down the middle fork of the Goodnews River, there are no site easements until S-19. Depending upon weather conditions, this could necessitate very long hours of travel. S-19 is a suitable site easement under most conditions. However, it is underwater during high tides and high river levels. River users planning on using S-19 as an overnight temporary camping site with plans on being picked up the following day could end up being flooded out. Refuge personnel, myself included, experienced a high tide at S-19 in late July of 1985. We disassembled two rafts and equipment in about 10-12 inches of water. Fortunately, we had not planned on remaining overnight and were picked up later that same day.

Therefore, I believe a site easement is needed at S-9, not only for the convenience of river users, but for their safety as well. The state is correct in their assertion that lack of a site easement on the middle fork of the Goodnews River could necessitate long hours of travel without stopping for meals, rest or sleep. A site easement at S-9 also would provide river users with a safe temporary camping site prior to being picked up at S-19.

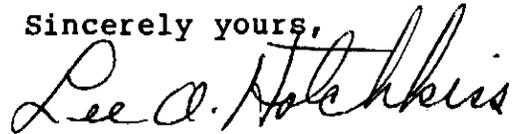
In 1985, an estimated 25 people floated the middle fork of the Goodnews River. Alaska River Safaris, led by Captain Ron Hyde, had a sport fishing camp on the middle fork also. The approximate location of S-9 was illustrated on the map that accompanied my letter dated

Robert Conquergood
February 28, 1986
Page Two

February 4, 1986. I strongly recommend that this site be ground truthed by either BLM, refuge personnel or both, early this summer. This would assure a usable site.

Don't hesitate to contact this office if you have further questions or need more information.

Sincerely yours,



Lee A. Hotchkiss
Acting Refuge Manager

LH:sf

cc: Files

RECEIVED

1986 JAN 15 PM 12: 19

BUREAU OF LAND MGMT.
ANCHORAGE DISTRICT OFF.

Joseph L. Martin, Land Planner
Kuitsarak Corporation, Inc.
January 13, 1986

**Goodnews River System
Interim Summary Report
Attachment 54**

Robert Conquergood
Area Manager
McGrath Resource Area
Bureau of Land Management
Anchorage District Office
4700 East 72nd Avenue
Anchorage, Alaska 99507

Dear Sirs:

I am responding to the letter of December 2, 1985. Why didn't the Interior Board of Land Appeals let us know in June of 1984. The village and people of our village corporation do not want any more easements on our lands along the river, the village people use the river for subsistence fishing in the summer and winter, it's not the fault of the village and it's people that the white man wants to travel our river, because we did not invite them here in the first place. Ever since the river guides use jet boats our fish are declining every year, theres too many white people on our river, if one of the native people went to the white mans land he would be charged with tresspassing and would be thrown in jail. We, the native people of Goodnews Bay do not want any more easements on our land and river, because we use this river and land to hunt and fish to survive. When the State and BLM came here few years ago we told them that we didn't want any easements along our river and village lands.

Because in the past there use to be a lot of fish camps on our river and it's lands. Why did the government give use of this land in the first place?, and how they want easements on it. The village corporation had a meeting with Fish and Game and agreed to lease land to them a long the river where ever they want to put their tower and camp. We the village corporation and board members reserve the right to say "no" to easements along ~~the~~ river and it's land. Besides there a lot of native allotments along the river lands.

Sincerely,

Joe Martin Sr.

Joe Martin Sr., Land Planner

*Edna S. Evan
President*

etc

Neg Jensen

*Vigabeta LeBlanc
Alinta Corp.*

NATIVE VILLAGE OF GOODNEWS BAY
TRADITIONAL VILLAGE COUNCIL
P.O. BOX 03
GOODNEWS BAY, ALASKA 99589
PHONE & FAX NO. 967-8929

Goodnews River System
Interim Summary Report
Attachment 55

Ron Hyde
Alaska River Safari
4909 Rollins
Anchorage, Alaska 99508

Dear Mr. Hyde,

As you know, the Goodnews Bay Tribal Council adopted an ordinance last year which requires that all commercial businesses operating within the tribes's boundaries apply for and receive a permit from the tribal council. The ordinance also requires that all sports fishermen using the Goodnews Bay River apply for and receive a permit from the council. Finally, the ordinance bans all recreational fishing on the North Fork of the Goodnews River. For your convenience, I have attached another copy of the ordinance and resolution adopting the ordinance.

The council understands that you intend to operate your commercial guiding operation on the Goodnews River this year. Your activities will take place within the territorial jurisdiction of the tribe, as that is defined in the ordinance. You therefore are required to obtain a permit to operate from the tribal council.

As of this date, we have not received a permit application from you for your operation this summer. For your convenience, I have attached an application. Please fill out and submit it to the tribe as soon as possible, but no later than May 20th, 1994. Please remember that as a business operation that has an impact on the health and welfare of our tribe, you are obligated to obtain a tribal permit. The council will take whatever actions it deems necessary should you fail to follow our tribal laws.

We would also like to work out with you a simple way for your clients to obtain permits from the tribe. An easy step would be for them to fill out the applications and obtain the permit when they arrive in Goodnews Bay. Please let me know if you agree to this approach, and if not, how you would suggest that we proceed.

Thank you for your cooperation.

cc: Kuitsarak, Inc.
files

Sincerely,
Traditional Village Council
Bavilla Merritt
Bavilla Merritt, Chairman

5-11-94

NOTICE

THE GOODNEWS BAY TRIBAL COUNCIL HAS ADOPTED AN ORDINANCE WHICH REQUIRES ANY PERSON WHO DESIRES TO ENGAGE IN COMMERCIAL, INDUSTRIAL AND RECREATIONAL USES WITHIN THE TERRITORIAL JURISDICTION OF THE TRIBE TO OBTAIN A PERMIT FROM THE COUNCIL. THIS INCLUDES THOSE WHO PLAN TO ENGAGE IN RECREATIONAL FISHING ON THE GOODNEWS RIVER THIS SUMMER, AND THOSE WHO PLAN TO GUIDE FISHERMEN ON THE RIVER. THE ORDINANCE BANS RECREATIONAL FISHING OF THE CATCH AND RELEASE VARIETY ON THE NORTH FORK ON THE RIVER.

ALL PERSONS INTENDING TO ENGAGE IN OR TO GUIDE RECREATIONAL FISHING ON THE GOODNEWS RIVER SHOULD CONTACT THE GOODNEWS BAY TRIBAL OFFICE PRIOR TO BEGINNING THEIR FISHING TRIP, SO THAT THEY CAN OBTAIN AND FILL OUT A PERMIT APPLICATION. COUNCIL STAFF WILL PROCESS THE APPLICATION AND ISSUE THE PERMIT AS QUICKLY AS POSSIBLE.

THE COUNCIL WISHES TO NOTIFY ALL PERSONS WHO DO NOT COMPLY WITH THE ORDINANCE OR OTHER TRIBAL LAWS THAT IT WILL TAKE WHATEVER STEPS IT DEEMS NECESSARY TO COMPEL COMPLIANCE WITH TRIBAL LAW.

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

OFFICE OF THE COMMISSIONER

WALTER J. HICKEL, GOVERNOR

P.O. BOX 25526
JUNEAU, ALASKA 99802-5526
PHONE: (907) 485-4100

June 10, 1994

Goodnews River System
Interim Summary Report
Attachment 56

Mr. Bavilla Merritt, Chairman
Village of Goodnews Bay
Traditional Village Council
P.O. Box 03
Goodnews Bay, AK 99589bc

06-20-94A10:18 RCVD

Dear Mr. Merritt:

It has come to my attention that the Goodnews Bay Tribal Council has published an ordinance that requires a tribal permit to engage in recreational fishing on lands purported to be within the jurisdiction of the tribe and prohibiting catch and release fishing on the North Fork of the Goodnews River. While the department recognizes the important interests associated with the private ownership of land and is mindful of the importance of subsistence uses of fish and game, the department respectfully informs you that the ordinance is unlawful.

Under AS 38.05.128, it is unlawful to obstruct or interfere with free passage on any navigable water body as defined by AS 38.05.965, regardless of the ownership of the underlying land. In addition, the Goodnews Bay Tribal Council does not have authority to regulate hunting and fishing activities. That authority is vested in the Department of Fish and Game and the Alaska Boards of Fisheries and Game. Therefore, the Traditional Council may not lawfully restrict or interfere with public access, require permits for recreational fishing or prohibit catch and release fishing on the Goodnews River.

To the extent you believe that existing regulations governing fishing on the Goodnews River do not adequately address the concerns of the Tribal Council, the Tribal Council may make proposals to the Board of Fisheries for regulation changes.

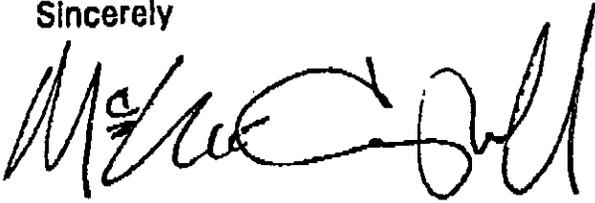
Mr. Bavilla Merritt, Chairman

- 2 -

June 10, 1994

If you have any questions regarding this matter, please feel free to contact my office.

Sincerely

A handwritten signature in black ink, appearing to read 'McKie Campbell', written in a cursive style.

McKie Campbell
Deputy Commissioner

cc: Ron Hyde
John Hendrickson

MC/kh



IN REPLY REFER TO:

United States Department of the Interior



FISH AND WILDLIFE SERVICE
Togiak National Wildlife Refuge

P.O. Box 270

Dillingham, AK 99576

Telephone: (907) 842-1063 Fax: (907) 842-5402

**Goodnews River System
Interim Summary Report
Attachment 57**

February 7, 1995

Dear Reader:

This letter is to inform you of a decision (enclosed) regarding the Upper Goodnews River (unit 12) within the Togiak National Wildlife Refuge. After a thorough evaluation, it has been decided to postpone the Goodnews River allocation until review of the Togiak Refuge Public Use Management Plan (PUMP). This will postpone the guided sport fishing permit offerings that were to be available through a prospectus this winter. All information that was gathered for the Goodnews River Environmental Assessment will be incorporated into the review.

Pending litigation on rainbow trout and navigable water management could affect how the Upper Goodnews River (Unit 12) is managed in the future. The PUMP identified that every three to five years the refuge should formally review the plan and determine if changes are needed. Also the PUMP stated "when nonguided use approaches or exceeds the level of guided use, an analysis will be conducted to determine if further regulation of nonguided use is needed." Since the PUMP's completion in 1991, nonguided use has increased substantially, and it is now at or exceeding the level of guided use on the Kanektok and Goodnews Rivers.

Since the PUMP was completed, the refuge staff has also gathered substantial new data on refuge public use and refuge resources. Following analysis of this data, the refuge staff will review the PUMP to determine if it should be revised. If limits are required for nonguided use, they must be considered for all refuge river systems or use would likely be displaced from one river to another, merely moving the problem, not solving it.

Until the review is completed, we do not plan to issue a prospectus for guided sport fishing on the Upper Goodnews River (Unit 12). We will send you additional information as it becomes available. If you have any questions or comments, please contact me at (907) 842-1063.

Sincerely,

Aaron M. Archibeque
Aaron M. Archibeque

Refuge Manager

*(FYI) CSU Contacts
from Sally Albert*

*CC Marty Rutherford INR
Dick Mylius BNR
Tina Canning DFG
Terry Haynes DFG
Stan Leaphart CACFA*

Enclosure

TOGIAK NATIONAL WILDLIFE REFUGE
PUBLIC USE MANAGEMENT PLAN
AMENDED PERMIT AWARD SCHEDULE FOR THE UPPER GOODNEWS RIVER

The final Togiak National Wildlife Refuge Public Use Management Plan (PUMP) provided the following management direction for guided sport fishing use on the Upper Goodnews River (Unit 12):

"By 1994, the refuge will have obtained additional subsistence and resource data, and will decide (with appropriate public involvement) on future management of the Goodnews River. In 1994, the new guiding opportunities (which will include all guided sport fishing use in the unit) will be made available through a prospectus. The new guiding permits will begin in 1996." (PUMP, page 151)

The refuge began the Goodnews River allocation process in 1994. The PUMP also stated "when non-guided use approaches or exceeds the level of guided use, an analysis will be conducted to determine if further regulation of non-guided use is needed." Non-guided use on the Goodnews and Kanektok Rivers has approached or exceeded the level of guided use. In addition, pending litigation on rainbow trout and navigable water management could affect how the Upper Goodnews River is managed in the future.

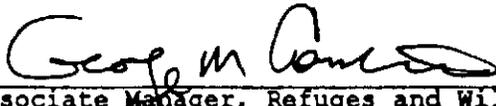
Alternatives considered were: A. Proposed Action; B. Continue with the Upper Goodnews River Allocation process.

It is my recommendation to adopt an amended permit award schedule for the Togiak National Wildlife Refuge Public Use Management Plan. This decision defers offering new special use permits for sport fish guiding on the Upper Goodnews River (Unit 12) until the full public use management plan is evaluated and/or pending litigation on rainbow trout and navigable water management is settled. Special use permits for guided sport fishing on the Upper Goodnews River will continue to be issued to the current permit holders at the same level of use as in 1994 for the 1995 and 1996 guiding seasons.

Since the PUMP was completed, the refuge staff has gathered substantial new data on refuge public use and refuge resources. Following analysis of this data, the refuge staff will evaluate the PUMP to determine if non-guided use and other issues should be addressed through revision of the PUMP. It would be inappropriate to consider allocation on only one river system without addressing the significant increase in non-guided use on the Kanektok River. If limits are required on non-guided use, they must be considered for all refuge river systems or use would likely be displaced from one river to another, merely moving the problem, not solving it.

The Regional Director has determined that these actions are consistent with those described and authorized in the 1991 Togiak National Wildlife Refuge Public Use Management Plan and Environmental Assessment, are not a major federal action and will not significantly affect the quality of the human environment. Therefore, an Environmental Impact Statement is not needed and this action qualifies as a categorical exclusion as provided by 516 DM 6 Appendix 1. The determination is based on the following factors.

There are no known irreversible or irretrievable commitments of resources. Wetlands and flood plains are not significantly affected. No threatened or endangered species will be affected. No known cultural resources will be adversely affected. The decision will not significantly restrict subsistence use in the Togiak National Wildlife Refuge. The plan is consistent with the Alaska State Coastal Management Program to the maximum extent practicable.


Associate Manager, Refuges and Wildlife

January 18, 1995
Date

Office of History and Archaeology
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- No. 2 Buzzell, Rolfe G. *Kwethluk River, HUC 30502, Zone 2, Kuskokwim River Region, Final Interim Summary Report*, Office of History and Archaeology Navigable Waters Research Report No. 2, Alaska Department of Natural Resources, Anchorage, June 29, 2010.
- No. 3 Shoaf, Edwin. *Kuskokwak Creek, HUC 30502, Zone 2, Kuskokwim River Region, Final Interim Summary Report*, Office of History and Archaeology Navigable Waters Research Report No. 3, Alaska Department of Natural Resources, Anchorage, June 29, 2010.
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- No. 5 Shoaf, Edwin. *Columbia Creek, HUC 30502, Zone 2, Kuskokwim River Region, Final Interim Summary Report*, Office of History and Archaeology Navigable Waters Research Report No. 5, Alaska Department of Natural Resources Anchorage, July 22, 2010.
- No. 6 Dorsey, Janine. *Arolik River, HUC 30501, Zone 2, Kuskokwim River Region, Final Interim Summary Report*, Office of History and Archaeology Navigable Waters Research Report No. 6, Alaska Department of Natural Resources, Anchorage, August 3, 2010.
- No. 7 Shoaf, Edwin. *Kasigluk River, HUC 30502, Zone 2, Kuskokwim River Region, Final Interim Summary Report*, Office of History and Archaeology Navigable Waters Research Report No. 7, Alaska Department of Natural Resources, Anchorage, August 10, 2010.
- No. 8 Buzzell, Rolfe G. and Amy Russell. *Kanektok River System, HUC 30502, Zone 1, Kuskokwim River Region, Final Interim Summary Report*, Office of History and Archaeology Navigable Waters Research Report No. 8, Alaska Department of Natural Resources, Anchorage, October 7, 2010.
- No. 9 Buzzell, Rolfe G. and Chris Chambers. *Tuluksak River System, HUC 30502, Zone 3, Kuskokwim River Region, Final Interim Summary Report*, Office of History and Archaeology Navigable Waters Research Report No. 9, Alaska Department of Natural Resources, Anchorage, October 7, 2010.
- No. 10 Shoaf, Edwin. *Akulikutak River, HUC 30502, Zone 2, Kuskokwim River Region, Final Interim Summary Report*, Office of History and Archaeology Navigable Waters Research Report No. 10, Alaska Department of Natural Resources, Anchorage, October 19, 2010.
- No. 11 Lantz, Nicole. *Slate Creek, HUC 30502, Zone 1, Kuskokwim River Region, Final Interim Summary Report*, Office of History and Archaeology Navigable Waters Research Report No. 11, Alaska Department of Natural Resources, Anchorage, October 19, 2010.
- No. 12 Lantz, Nicole. *Tivyagak Creek, HUC 30502, Zone 1, Kuskokwim River Region, Final Interim Summary Report*, Office of History and Archaeology Navigable Waters Research Report No. 12, Alaska Department of Natural Resources, Anchorage, December 21, 2010.
- No. 13 Shoaf, Edwin. *Eenayarak River and Eek Lake, HUC 30502, Zone 2, Kuskokwim River Region, Final Interim Summary Report*, Office of History and Archaeology Navigable Waters Research Report No. 13, Anchorage, Alaska Department of Natural Resources, February 23, 2011.

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- No. 16 Lantz, Nicole. *Ophir Creek*, HUC 30502, Zone 3, Kuskokwim River Region, *Final Interim Summary Report*, Office of History and Archaeology Navigable Waters Research Report No. 16, Alaska Department of Natural Resources, Anchorage, June 29, 2011.
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- No. 19 Dorsey, Janine. *Eek River System*, HUC 30502, Zone 2, Kuskokwim River Region, *Final Interim Summary Report*, Office of History and Archaeology Navigable Waters Research Report No. 19, Alaska Department of Natural Resources, Anchorage, September 14, 2011.
- No. 20 Lantz, Nicole. *Discovery Creek System (Including Unnamed Leftbank Tributary of Discovery Creek and Slough near Mouth of Discovery Creek)*, HUC 30502, Zone 3, Kuskokwim River Region, *Final Interim Summary Report*, Office of History and Archaeology Navigable Waters Research Report No. 20, Alaska Department of Natural Resources, Anchorage, September 14, 2011.
- No. 21 Lantz, Nicole. *Throat Creek*, HUC 30502, Zone 3, Kuskokwim River Region, *Final Interim Summary Report*, Office of History and Archaeology Navigable Waters Research Report No. 21, Alaska Department of Natural Resources, Anchorage, October 5, 2011