

## KANTISHNA RIVER NAVIGABILITY DETERMINATION

Name	Author	Year	Navigability Determination
Kantishna River	BLM	May 13, 1974	BLM State Director letter to Arctic Slope Regional Corporation, listing Inland Navigable Waters.
	BLM	January 16, 1980	BLM Navigability Determination on Selected Townships, including Interconnecting sloughs. Refers also to State Director Memorandum dated February 17, 1976, in which Kantishna River was considered to be navigable from its mouth to the old town of Roosevelt.
	BLM	April 17, 1980	Navigability Recommendation Land Reports for State Selected Townships. (T. 3 S. & 2 S., R. 12 W, FM)
	BLM	April 30, 1980	Navigability Recommendation Land Report. Folger Slough and Kantishna River be determined navigable in selected townships (T 8 S, R 15 W, FM)
	BLM	May 22, 1980	BLM State Director Memorandum reaffirming Land Report Navigability Recommendation for State Selected Townships
	BLM	June 26, 1980	BLM State Director Memorandum reaffirming Land Report Navigability Recommendation for State Selected Townships
	BLM	August 22, 1980	BLM Memorandum reaffirming Land Report Navigability Recommendation dated on April 30, 1980 for State Selected Townships.
	BLM	December 21, 1981	Navigability Recommendation Land Report for State Selected Townships. (T. 9 S., R. 17 W., FM)
	BLM	March 16, 1982	BLM State Director Memorandum reaffirming Land Report Navigability Recommendation for State Selected Townships

FF 94612

2650.35/9130 (2)

State Office  
555 Cordova Street  
Anchorage, Alaska 99501

May 13, 1974

Mr. Joe Upicksoun, President  
Arctic Slope Regional Corporation  
P.O. Box 565  
Barrow, Alaska 99723

Dear Mr. Upicksoun:

Since you are all aware of the problems that could be encountered relating to the navigability issue in Alaska, we wish to take this opportunity to clarify the Bureau of Land Management's position. We hope the following discussion will be helpful in your deliberations on land selections.

Unfortunately, there is no black and white answer for the numerous situations that exist. However, we believe our position can best be explained by discussing a few previous legal opinions and court decisions relative to navigable waters.

We do not question the navigability, in fact, of the Yukon and other large rivers in Alaska. The navigability of such rivers that have been so used or are susceptible of useful commerce is evident. It is, of course, questionable that even a large river or stream bed that can serve no "useful purpose" even prospectively in commerce could qualify. Our position in these cases is that such rivers do not qualify as navigable.

For example, many large rivers in the State are merely wide braided stream beds. The Colville River would fit that description and it is one which we consider to be non-navigable.

In the report prepared by the Bureau of Reclamation in 1957, published as House Document 197, 82nd Congress, First Session (Congressional 7 Serial 1523) "Alaska", it is said in part, "Many rivers are rendered non-navigable at present by rapids and shoals. Large areas of the interior could maintain a movement of river freight if dams and locks were placed on some rivers at strategic places." This factual,

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statement, taken with the legal requirements that navigability in law is inextricably linked with use or susceptibility of use of a river in its natural state, would preclude the assumption of navigability for most rivers in Alaska.

The Department's Opinion M-36596 Navigable Waters in Alaska, March 15, 1950 provides a guide for us to follow when an administrative decision is to be made as to navigability. Quoting from that opinion it is said "...When the question is who owns the water beds, the courts have uniformly required that to be navigable the water must be used or usable for travel, trade, and commerce." Underlining and double underlining added.

To be determined navigable lakes must fit the above commerce qualification. The great majority of the lakes in the State do not meet this criterion. Notwithstanding what we consider to be the essential ingredient in determining navigability, namely "commerce", we would accept as a minimum those lakes with an acreage of 10 square miles or more as navigable. Most of these are listed in Geological Survey Circular 476. This criterion does not, of course, deprive the State of the ownership of the bed of any lake subsequently found to be navigable by the courts.

Some large lakes might qualify as navigable by virtue of the number of the villages bordering them and the assumption that commerce of some kind, even now, takes place between them. We question, however, the situation where an overland portage is necessary to reach one lake from another. This would defeat the use of these lakes in commerce. Therefore, they cannot qualify as to having a capacity, either actual or prospective, for use in commerce.

We do not attach any significance to the use of ice-covered lakes for sleds or even wheeled vehicle travel as an indication of commerce and as proof of navigability. Many tractor trails cross lakes and rivers in the winter months and, in fact, many winter tractor trails use the ice almost exclusively.

In our opinion, the use of float planes or convertible ski planes for landings on lakes any more than rivers cannot be used as an argument for navigability. Note the argument above against accepting winter trails across ice as an indication of potential navigability.

It should be noted that in discussing navigability it is said in the Department's Opinion that, "A lake customarily used for landing freight and passengers by such a plane (hydroplane) might qualify." However, that qualification appears to us to have been settled in the criteria as to navigability laid down in Brewer-Willott Oil Co. v. United States, 260 U.S. 77. There it is said that a water body is only navigable or usable if used "in its ordinary condition, as a highway for commerce over

which trade and travel are or may be conducted in the customary modes of trade or travel over water." Underlining and double underlining added. Consequently, the Bureau takes the position that the use of waters for the landing of planes alone is not enough in itself to constitute navigability.

The Bureau of Land Management intends to utilize a system that essentially follows past practices. The use of the existing criteria has the further advantage of having stood the test of time for State selections. The attempted use of new criteria would result in a job of years duration with no assurance that our decision would stand. Any determination would still be subject to litigation.

We have attached a partial listing of inland waters that probably fit our definition of navigability. It is not intended as a complete list since other water bodies in the State may support commercial navigation. Please use it only as a guide.

Sincerely,

1/5/7 Curtis V. McVee  
State Director

Enclosure 1

Encl. 1 - Inland Waters Listing

cc:

Mr. Roger Long, President  
Alaska Federation of Natives  
1575 "C" Street  
Anchorage, AK 99501

Mr. Andrew P. Rollins, Jr., Authorizing Officer  
Department of the Interior  
Office of the Authorizing Officer  
Alaska Pipeline Office  
803 "E" Street  
Anchorage, AK 99501

W-  
Mr. Burton T. Silcock,  
Federal Chairman  
Joint Federal-State Land Use  
Planning Commission for  
733 West Fourth Avenue, Suite  
Anchorage, AK 99501

Mr. F. J. Keenan, Director  
State of Alaska  
Division of Lands  
323 E. 4th Avenue  
Anchorage, AK 99501

Please see attached sheet

RLThompson:pwt 5-9-74

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Inland Navigable Waters of Alaska

<u>River or Lake</u>	<u>Approximate Miles</u>	<u>Remarks</u>
Aleknagik Lake	20	Navigable full length. Head of Wood River.
Andreafsky River	*	Tributary of Yukon River.
Aniak River	*	Tributary of Kuskokwim River.
Becharof Lake	43	Empties into Egegik River.
Big Lake	4.5	Drainage to tidal waters not considered navigable.
Black River	*	Tributary to Porcupine River.
Chandalar Lake	9.5	Located on the North Fork Chandalar River.
Chandalar River	*	100 miles long, tributary of Yukon River.
Chena River	6	Navigable to Cushman St. Bridge, tributary of Tanana River.
Lake Clark	45	1 to 3.5 miles wide, connects with Lake Iliamna via Newhalen River. Newhalen not navigable.
Eek River	*	Tributary of Kuskokwim River.
Holitna River	*	Tributary of Kuskokwim River.
Iditarod River	340	Holy Cross to Dikeman.
Iliamna Lake	70	Heads Kvichak River. Navigable full length.
Innoko River	*	Tributary of Yukon River.
John River	*	Tributary of Koyukuk River.
Kantishna River	*	Tributary of Tanana River.

Kasilof River	6	Navigable by shallow draft launch Total drains Tustamena Lake.
Kenai Lake	20	Navigable full length. Heads the Kenai River.
Kenai River	*	Brages dock at cannery at high w 1.5 miles upstream.
Kobuk River	200	Small vessels travel to mines.
Koyukuk River	*	Navigable partly on freshets. Tributary of Yukon River.
Kuskokwim River	400	McGrath is head of river naviga- tion at mile 400. River is 500 miles long, empties into Kushkoku Bay.
Kuzitrin River	15	Shallow draft vessels travel to Shelton. Empties into Imuruk Basin.
Kvichak	20	Cannery tenders of 10-foot draft go 22 miles upstream to Alaganik River. Launches continue to the of the river at Lake Iliamna.
Louise, Lake	8	4 miles wide. Headwater of Susitna R.
Mulchatna River	*	Tributary of Nushagak River
Naknek River	20	The mouth is head of deep draft n gation in Kvichak Bay.
Noatak River	*	Empties into Kotzebue Sound.
Noyes Slough	*	Tributary of Chena River.
Nushagak River	30	Ocean-going vessels go to mouth of Wood River; small vessels continue on.
Paxon Lake	10	On course of Gulkana River, tributary of the Copper River.
Porcupine River	225	Tributary of Yukon River.
Selawik Lake	31	20 miles wide.

Sheenjak River	*	Tributary of Porcupine River.
Skilak Lake	12.6	On Kenai River.
Stikine River	30	Navigable length shown is in Alaska.
Stony River	*	Tributary of Kuskokwim River.
Susitna River	75	Head of ocean-going navigation is mouth of river. Sternwheelers have gone to confluence of Talkeetna River 75 miles.
Takotna River	*	Tributary of Kuskokwim River.
Tannana River	250	275 miles navigable by river steamers; remainder by launches. City of Nenana 250 miles above confluence of Yukon River is transfer point of supplies from Alaska Railroad to the river.
Tustemena Lake	23	Head of Kasilof River.
Ugashik River	13	Cannery wharf 13 miles upstream has 14 foot depth at high tide and is dry at half tide.
Wood River	*	
Yentna River	*	Flows into Susitna River.
Yukon River	1430	Mileage to Canadian border.

page 3/3 May 13, 1974

BLM McVee to Joe Upicksoun

partial listing of probable navigable waters.



# United States Department of the Interior

IN REPLY REFER TO

BUREAU OF LAND MANAGEMENT

2620 (NAV) (932)

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

JAN 16 1980

Memorandum

To: State Director  
From: Chief, Division of Resources  
Subject: Navigability Determinations

Reports have been received from the Fairbanks District Office for the following State Selection applications:

F028934	T3S	R13WFM	22,930
F028936	T4S	R13WFM	23,003
F43998	T6S	R14WFM	22,840
F028893	T5S	R13WFM	22,788
F43999	T6S	R15WFM	22,860
F43985	T5S	R14WFM	<u>22,788</u>

137,209 Ac ±

All of the subject townships are traversed by the Kantishna River, and each report refers to a memorandum of February 17, 1976, signed by the State Director. The reports state the Kantishna River was determined to be navigable in that memorandum. The memorandum was reviewed and it stated the Kantishna River was considered navigable from its mouth to the old town of Roosevelt. All of the townships involved in these reports are located between Roosevelt and the mouth of the river.

Also discussed in the memorandum is the fact that interconnected sloughs of a navigable water body are considered navigable. The Kantishna River has, as shown on the USGS 1:250,000 Kantishna River quadrangle, interconnected sloughs in T3-5S, R13W, FM, and T5S, R16W, FM. The latter may also be present in T6S, R15W, FM. These interconnected sloughs should be treated as navigable.

The Kantishna River is a major tributary of the Tanana River. The Toklat River is a tributary of the Kantishna River. The District reports make reference <sup>1/2</sup> a newspaper article in the Fairbanks Daily Times of August 11, 1914. The article stated three hunters planned to take poling boats up the Toklat River. No follow-up article was found that these hunters succeeded in ascending the river.

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Given the physical characteristics of the river together with the historic development of roads and trails in the area, it is highly unlikely that they succeeded. In any case, the Toklat River was not the established route of travel for hunters, prospectors and trappers.

The District reports do not specifically state that the State of Alaska's Water Delineation Maps were reviewed. However, all waterbodies in the township are discussed when the above is incorporated with the District reports.

I agree with the conclusions in the District's reports. The supplemental data given above on the Kantishna River and its interconnecting sloughs should be incorporated as part of each report, as appropriate, to give a complete report on the waterbodies in each selection.

Your concurrence with the above is requested.

*James F. Sizemore*  
Acting.

I Concur

*[Signature]* JAN 15 1990  
\_\_\_\_\_  
State Director                      Date

Enclosures: 6 Reports

**FF 94612**



# United States Department of the Interior

IN REPLY REFER TO

2620 (NAV) (932)

## BUREAU OF LAND MANAGEMENT

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

MAY 21 1980

Memorandum

To: State Director  
From: Chief, Division of Resources  
Subject: Navigability Review-State Selection F 028883

A report has been received from the Fairbanks District Office on the subject selection application containing conclusions and recommendations as to the navigability of waterbodies contained within the area applied for by the State.

The report, under "III. Recommendations." contains references to the Tanana River and interconnected slough. The Tanana River is not located within this township and the recommendations regarding it should be disregarded.

The district report does not specifically state the State of Alaska's 1974 water delineation maps were reviewed, however all waterbodies in the township were discussed.

The report has been reviewed for content and consistency with the December 14, 1979 ANCAB decision on navigable waters. I agree with the conclusions and recommendations contained in the report except as noted above and find them consistent with the ANCAB decision. Your concurrence is requested.

I concur:

Robert H. Anderson  
State Director  
Acting Associate

5-22-80  
Date

FF 94612

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

LAND REPORT TITLE PAGE

State Alaska		District Fairbanks	
County		Resource area Yukon	Planning Unit
Type of Action State Selection (Navigability Recommendations)			Serial Number F-028883
Applicant's name State of Alaska		Address (include zip code)	
Date(s) of examination			

LANDS INVOLVED

TOWNSHIP	RANGE	MERIDIAN	SECTION	SUBDIVISION	ACRES
3 S.	12 W.	Fairbanks			22,930.32

Purpose of report

To make recommendations regarding navigability or nonnavigability of water bodies within State Selections

Prepared by <i>Marion L. England</i> Marion L. England	Title Natural Resource Specialist	Date of report 4/17/80
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I. Description of Area Covered by This Report

- A. The subject township is located within the Tanana Lowlands. The specific location is approximately 60 miles southwest of the city of Fairbanks and 23 miles northwest of the town of Nenana.

The geology of the area is characterized by extensive, well sorted floodplain, terrace, and alluvial fan deposits associated with the Tanana River and its tributaries. Also, thick valley bottom silt and sand, predominantly Eolian. The topography of the subject area is very flat. Bear Lake is located in the northwest quarter of the subject township and the Kantishna River is located in the western half of the subject township. The maximum elevation within the subject township is 355 feet, with the minimum elevation of 297 feet.

Climate in the area is typical interior Alaska. Temperatures range from  $-60^{\circ}$  F. to  $+85^{\circ}$  F. Precipitation is seven to twelve inches annually. Prevailing winds are from the southwest.

Vegetation of the subject township consists of low brush bog and muskeg, lowland spruce-hardwoods forest.

Wildlife species within the subject area or passing through are moose, wolf, black bear, fox, waterfowl, and common game birds.

U.S. Geological Survey Quads:

Fairbanks 1:250,000  
Kantishna River 1:250,000

- B. Cultural Aspects of the Area

This area has been extensively used for land and water travel and exploration. Many waterfowl summer here. Recreation and subsistence hunting takes place here.

## II. Description of Water Bodies

### A. Unnamed Bodies of Water, Black Bear Lake, Unnamed Creeks, Kantishna River,

1. All Unnamed Bodies of Water and Black Bear Lake, located within the subject township, are freshwater tundra lakes with bottoms that are gravelly overlain with silt. The shorelines are generally unsuited for private or commercial use.

All unnamed creeks, located within the subject township, are generally narrow with low vegetative banks which are undergoing constant erosion. The average gradient of the creeks, located within the subject township, is one foot per mile. The surface acreage of Black Bear Lake is approximately 960 acres.

The Kantishna River, located within the subject township, has gravelly beds overlain with silt in some places. The Kantishna River is approximately seven miles in length within the subject township. The average gradient of the above named river is one foot per mile.

2. Use Data\*

#### Unnamed Bodies of Water and Black Bear Lake

There is no pertinent data available, historic or present, that indicates that any of the above bodies of water, located within the subject township, are navigable or used as a highway of travel.

The unnamed bodies of water and Black Bear Lake, located within the subject township, are not located near commercially valuable resources, nor are the shorelines suitable for establishment of communities or other commercial ventures.

Unnamed creeks, located within the subject township, have no pertinent data available, historic or present, that indicates any of the creeks are navigable or used as highways of travel.

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\*References: Index of Navigability-Historical Data, and Water Body Historical Data; and references therein. Grumman Ecosystems' Report on Navigability Dtd. 1975.

The unnamed creeks, located within the subject township, are not located near commercially valuable resources, nor are the creek banks suitable for establishment of communities or other commercial ventures.

There is navigability data available indicating that the Kantishna River, located within the subject township, is navigable.

### III. Recommendations

#### A. Water Bodies Found to be Non-Navigable by Reason of Non-Use

It is recommended that all the bodies of water except the Tanana River and the Kantishna River located within the subject township, be considered administratively non-navigable in fact. No use the bodies of water for waterborne commerce is documented or known, neither prior to, nor after, Statehood.

#### B. Water Bodies Found to be Non-Navigable Due to Non-Susceptibility for Commercial Use as of Statehood

It is recommended that all the bodies of water except the Tanana River and the Kantishna River, located within the subject township, be considered non-navigable due to non-susceptibility for commercial waterborne commerce. The shorelines are not suitable for the establishment of communities or other commercial developments.

#### C. Named Rivers to be Navigable by Reason of Use

It is recommended that the Kantishna River, located within the subject township, be considered navigable in fact. Due to susceptibility for waterborne commerce borne out by the reports in the Index of Navigability-Historical Data, and Water Body Historical Data; and references therein.

The Tanana River and all its interconnecting sloughs, located within the subject township, have been declared navigable by the State Director's Navigability Task Force.

Report Prepared by

Marion J. Eby  
Name

Net. Res. Specialist  
Title

April 16<sup>th</sup>, 1980  
Date

Reviewed by

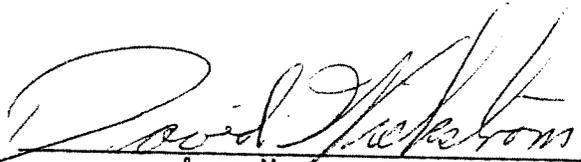
David Ruppert  
Name

Historian  
Title

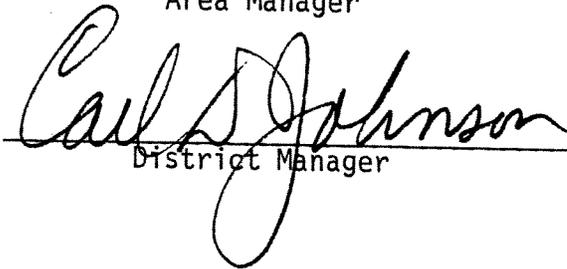
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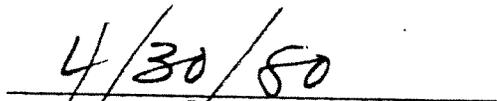
We, the undersigned, have reviewed the Land Report for State Selection (Navigability Recommendations) F-028883. It is technically adequate and all resource values have been considered to the best of our knowledge.

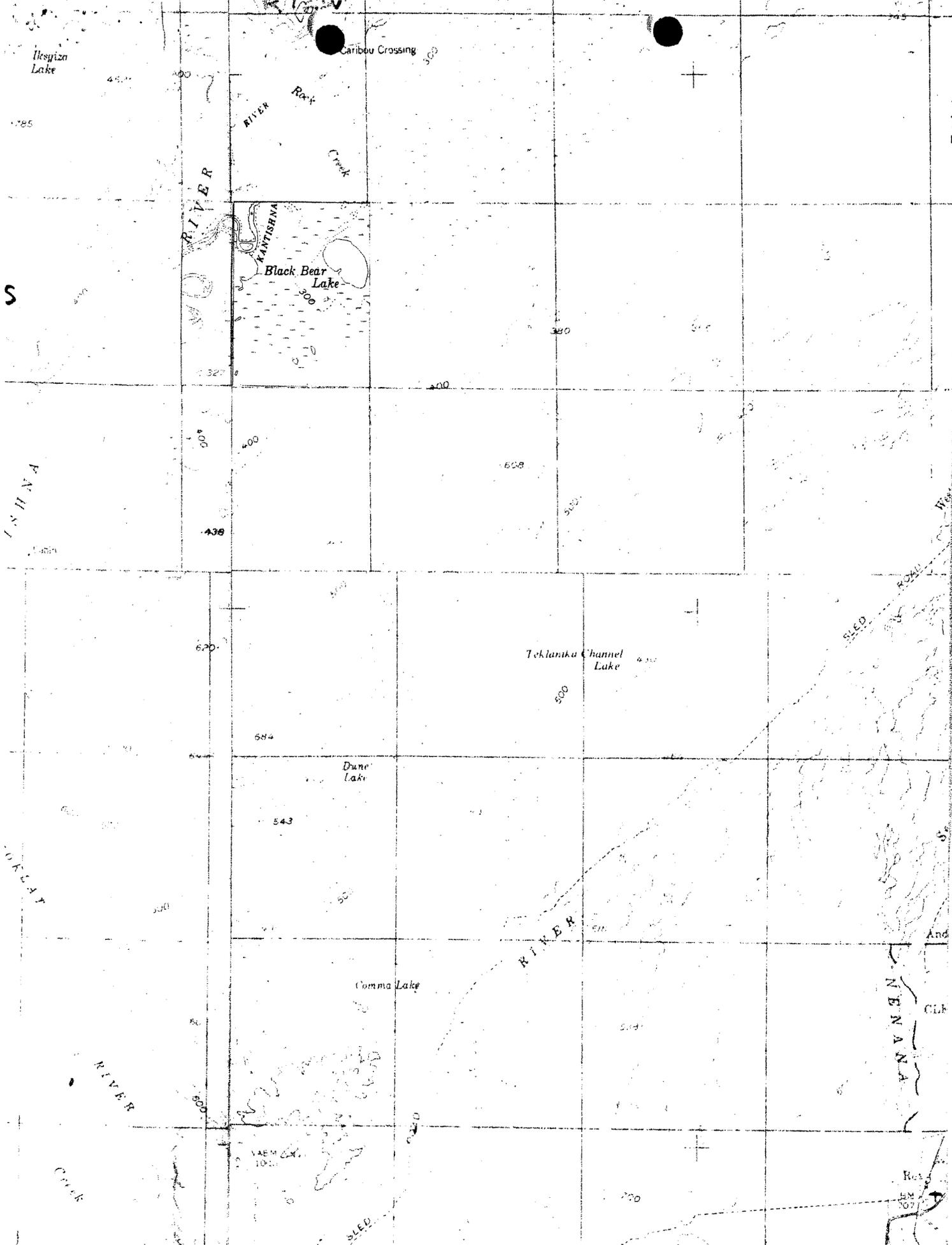
We concur with the recommendations made.

  
\_\_\_\_\_  
Area Manager

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
District Manager

  
\_\_\_\_\_  
Date



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FOREST

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# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

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

### Memorandum

To: State Director (910)  
From: Chief, Division of Resources (930)  
Subject: Navigability Reports - State Selections - FDO

We have received reports from the Fairbanks District containing navigability recommendations for waterbodies within the areas selected by the State of Alaska under the following serial numbers:

F-028055	T22N R8E CRM	22,935
F-028041	T21N R8E CRM	22,686
F-43718	T22N R9E CRM	22,905
F-44023	T8S R18W FM	23,000
F-44040	T10S R18W FM	23,000
F-44039	T10S R17W FM	23,000
F-44028	T9S R14W FM	23,000
F-44029	T9S R15W FM	23,000
F-44014	T7S R18W FM	23,000
F-44010	T7S R14W FM	23,000
F-44009	T7S R13W FM	23,000
F-028717	T4S R4W FM	23,045
<u>F-026841</u>	T2S R12W FM	21,311
F-028879	T3S R10W FM	22,930
		<u>296,812 Ac ±</u>

A supplemental report has been prepared by this office and is attached.

The District reports do not specifically state the State of Alaska's 1974 Water Delineation Maps were reviewed. However, all waterbodies in the townships were discussed.

A review has been made of the casefiles for content and consistency with the December 14, 1979 AN CAB decision on navigable waters. I agree with the conclusions and recommendations contained in the reports and find them consistent with the AN CAB decision. Your concurrence is requested.

I concur:

*Robert H. Anderson*  
State Director  
6-26-80  
Date

**FF 94612**

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

LAND REPORT TITLE PAGE

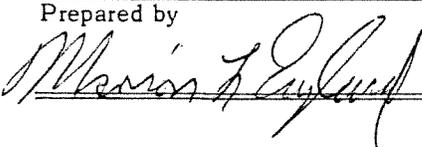
State Alaska		District Fairbanks	
County		Resource area Yukon	Planning Unit
Type of Action State Selection (Navigability Recommendations)			Serial Number F-026841
Applicant's name State of Alaska		Address (include zip code)	
Date(s) of examination			

LANDS INVOLVED

TOWNSHIP	RANGE	MERIDIAN	SECTION	SUBDIVISION	ACRES
2 S.	12 W.	Fairbanks			21,310.62

Purpose of report

To make recommendations regarding navigability or non-navigability of water bodies within State Selections.

Prepared by  Marion L. England	Title Natural Resource Specialist	Date of report 4/17/80
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F-026841

T. 2 S., R. 12 W., Fairbanks Meridian

I. Description of Area Covered by This Report

- A. The subject township is located within the Tanana Lowlands. The specific location is approximately 60 miles west of the city of Fairbanks and 24 miles northwest of the town of Nenana.

The geology of the area is characterized by extensive well sorted floodplain, terrace, and alluvial fan deposits associated with the Tanana and its tributaries. The topography of the subject township is very flat, except there are hills in Secs. 2, 3, and 4. The Tanana River runs through the northern half of the subject township. The Kantishna River is located in the western half of the subject township. The maximum elevation within the subject township is 1,100 feet, with the minimum elevation of 290 feet.

Climate in the area is typical interior Alaska. Temperatures range from  $-60^{\circ}$  F. to  $+85^{\circ}$  F. Precipitation is seven to twelve inches annually. Prevailing winds are from the southwest.

Vegetation of the subject township consists of low brush bog and muskeg. Bottomland spruce-poplar forest and lowland spruce-hardwood forest.

Wildlife species within the subject area or passing through are moose, wolf, black bear, fox, waterfowl, and common game birds.

U.S. Geological Survey Quads:

Fairbanks 1:250,000  
Kantishna River 1:250,000

- B. Cultural Aspects of the Area

This area has been extensively used for land and water travel and exploration. Many waterfowl summer in this area. Recreation and subsistence hunting takes place here.

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## II. Description of Water Bodies

### A. Unnamed Bodies of Water, Unnamed Creeks, Tanana River, Kantishna River

1. All unnamed bodies of water, located within the subject township, are freshwater tundra lakes with bottoms that are gravelly overlain with silt. The shorelines are generally unsuited for private or commercial use.

All unnamed creeks and Rock Creek, located within the subject township, are generally narrow with low vegetative banks which are undergoing constant erosion. The average gradient of the creeks located within the township is one foot per mile.

The Tanana River and the Kantishna River, located within the subject township, have gravelly beds overlain with silt in some places. The Tanana River is approximately five miles in length within the subject township and the Kantishna River is approximately 12 miles in length within the subject township. The average gradient of the above named rivers is one foot per mile.

2. Use Data\*

#### Unnamed Bodies of Water

There is no pertinent data available, historic or present, that indicates that any of the unnamed bodies of water, located within the subject township, are navigable or used highways of travel.

The unnamed bodies of water, located within the subject township, are not located near commercially valuable resources, nor are the shorelines suitable for establishment of communities or other commercial ventures.

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\*References: Index of Navigability-Historical Data, and Water Body Historical Data; and references therein. Grumman Ecosystems' Report on Navigability Dtd. 1975.

Unnamed creeks and Rock Creek, located within the subject township, have no pertinent data available, historic or present, that indicates any of the creeks are navigable or used as highways of travel.

The unnamed creeks and Rock Creek, located within the subject township, are not located near commercially valuable resources, nor are the creek banks suitable for establishment of communities or other commercial ventures.

There is navigability data available indicating that the Kantishna River, located within the subject township, is navigable. The Tanana River and the interconnecting sloughs, located within the subject township, have been declared navigable by the State Director's Navigability Task Force.

### III. Recommendations

#### A. Water Bodies Found to be Non-Navigable by Reason of Non-Use

It is recommended that all the bodies of water except the Tanana River and the Kantishna River, located within the subject township, be considered administratively non-navigable in fact. No use of the bodies of water for waterborne commerce is documented or known, neither prior to, nor after, Statehood.

#### B. Water Bodies Found to be Non-Navigable Due to Non-Susceptibility for Commercial Use as of Statehood

It is recommended that all water bodies, except the Tanana and Kantishna Rivers, located within the subject township, be considered administratively non-navigable due to non-susceptibility for commercial waterborne commerce. The water bodies located within the subject township are not large enough for access by boat or floatplane. The shorelines are not suitable for the establishment of communities or other commercial developments.

C. Named Rivers Found to be Navigable by Reason of Use

It is recommended that the Kantishna River, located within the subject township, be considered navigable in fact, due to susceptibility for waterborne commerce borne out by the reports in the Index of Navigability-Historical Data, and Water Body Historical Data; and references therein.

The Tanana River and all its interconnecting sloughs, located within the subject township, have been declared navigable by the State Director's Navigability Task Force.

**FF 94612**

Report Prepared by

Martin S. Einfeld  
Name

Nat. Res. Specialist  
Title

April 17<sup>th</sup> 1980  
Date

Reviewed by

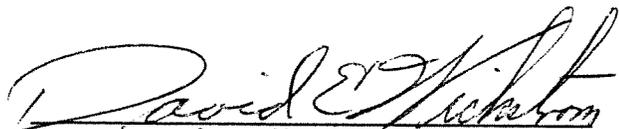
David Ruppert  
Name

Historian  
Title

5/8/80  
Date

We, the undersigned, have reviewed the Land Report for State Selection (Navigability Recommendations) F-026841. It is technically adequate and all resource values have been considered to the best of our knowledge.

We concur with the recommendations made.

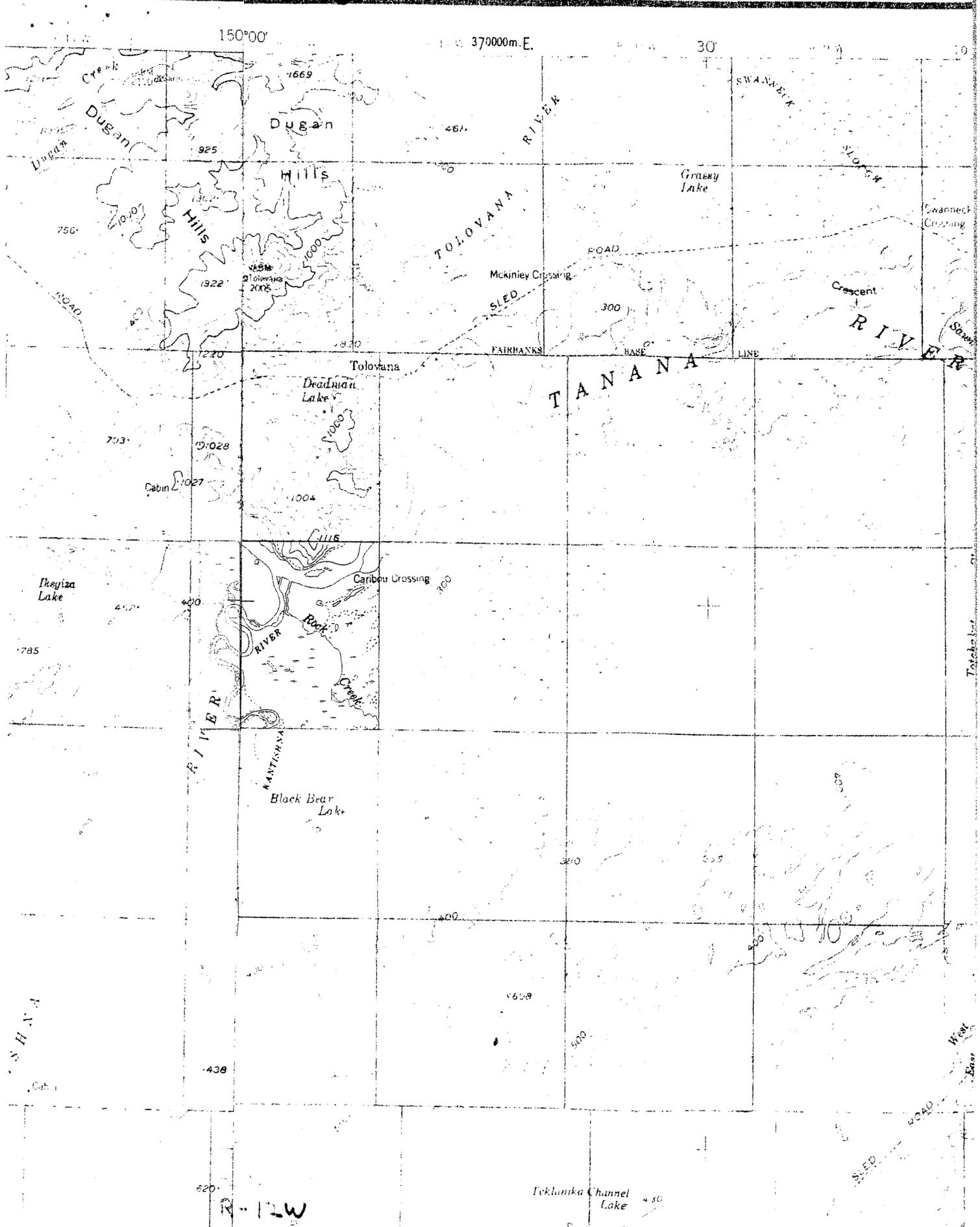
  
Area Manager

5/23/80.  
Date

  
District Manager

5/30/80  
Date

GEOLOGICAL SURVEY



R-12W

Teklanika Channel Lake 410

FF 94612



# United States Department of the Interior

IN REPLY REFER TO

BUREAU OF LAND MANAGEMENT

2620 (NAV)(932)

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

AUG 21 1980

## Memorandum

To: State Director  
From: Chief, Division of Resources  
Subject: Navigability Review

We have received several reports from the Fairbanks District Office containing recommendations as to the navigability or nonnavigability of water bodies within the townships listed below:

F43958	T2S	R3W	FM	23,833
F43959	T3S	R4W	FM	21,459
F43984	T5S	R4W	FM	23,000
F44020	T8S	R15W	FM	23,004
F44038	T10S	R16W	FM	23,000
F026846 (026847)	T1S	R13W	FM	19,425
F43960	T3S	R6W	FM	22,906
F44067 (F027556)	T4S	R3E	FM	22,969
F44024	T8S	R19W	FM	23,004
				<u>202,600</u>

The reports for F026846 and F43960 state that the Tanana River was declared navigable by the State Director's Easement Task Force. Actually, the navigability of the river was administratively determined when you concurred in a report on the water body prepared by C. Michael Brown, Historian, of my staff.

The report on F44024 discusses Square Lake. About half of the lake lies in the township to the East (selection F44023) and was recommended in the report on that township to be determined nonnavigable. Although these are potentials for some development along the shore of this lake, we concur with the District's recommendation of nonnavigability. This is consistent with the standards developed in the Northway supplemental navigability report.

The District reports do not specifically state that the State of Alaska's Water Delineation Maps were reviewed. However, all water bodies in the townships were discussed.

A review was made of the reports, for content and consistency with the

EE 04612

12/14/80 ANCAB decision on navigable waters. I agree with the conclusions and recommendations contained in the reports and find them consistent with the ANCAB decision. Your concurrence is requested.

I concur,

*RW Anderson* 8-22-80  
State Director                      Date

FF 94612

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

LAND REPORT TITLE PAGE

State Alaska		District Fairbanks	
County		Resource area Yukon	Planning Unit
Type of Action State Selection (Navigability Recommendation)			Serial Number F-44020
Applicant's name State of Alaska		Address (include zip code)	
Date(s) of examination			

LANDS INVOLVED

TOWNSHIP	RANGE	MERIDIAN	SECTION	SUBDIVISION	ACRES
8 S.	15 W.	Fairbanks			23,004

Purpose of report

To make recommendations regarding navigability or nonnavigability of water bodies within State Selections.

Prepared by Ben Roberson Ben Robinson	Title Realty Specialist	Date of report 4/30/80
---	----------------------------	---------------------------

FF 94612

I. Description of Area Covered by this Report

Township 8 South, Range 15 West, Fairbanks Meridian

- A. The subject township is located within the Tanana Lowlands. The center is approximately 43 miles southeast of Bitzshini Mountain and 54 miles south of Manley Hot Springs.

The geology of the area is characterized by paleozoic and pre-cambrian schist quartzite and gneiss. Soils are generally gravel covered by silt and sand. They are poorly drained with a thick organic mat underlain by permafrost. The elevation varies from 418 feet to 718 feet above sea level.

The climate in the township is typical of Interior Alaska. Temperatures range from -60° F to 85° F with 6 to 13 inches of precipitation. Prevailing winds are generally from the south.

Vegetation is characterized by stands of bottom land spruce and poplar in the west of the township along the Kantishna River. The remainder of the area has mostly low bog and muskeg with some lowland spruce and hardwood.

Wildlife species found in the area are moose, black bear, fox, wolf, martin, lynx, and various game birds.

U.S. Geological Survey Map:

Kantishna River 1:250,000

B. Cultural Aspects of the Area

There are numerous historical documents stating the use made of the Kantishna River by prospectors, merchants, and the U.S. Government in getting to the upper reaches of the Kantishna, to Lake Minchumina and Roosevelt. Types of craft included pole boats, canoes, flat bottom skiffs, and side and stern wheelers capable of over 100 tons. Other than along the river the township has been little used except for occasional prospectors, hunters, and trappers.

II. Description of Water Bodies

A. Kantishna River

The Kantishna River flows along the western boundary of the township for six miles. Within this area the river width varies

from a quarter mile to 20-30 yards where protruding gravel bars narrow the channels. While seasonal fluctuations of volume have on occasion delayed past usage by large steam boats they were temporary and short lived. The water is silt laden with a bed of gravel overlain by silt. Land adjacent to the river is not much above the level of the river itself.

#### Folger Slough

Folger Slough, located in the northwest of the township at 64°14'N. 150°35'W. flows northeast 1.7 miles along the right bank of the Kantishna River. The slough is of sufficient depth to allow passage of craft and has been used as an alternative to the river channel opposite. Banks are a mixture of grassy tundra and lowland spruce and hardwood, and are continually subject to erosion.

#### All Unnamed Creeks

All unnamed creeks are shallow, have little volume and are frequently obstructed by downfall and eroded banks.

## All Unnamed Bodies of Water

All unnamed bodies of water in the township are small, often shallow, vary with the seasonal precipitation and runoff, and have bottoms overlain by silt and vegetation. Shorelines are generally poorly defined and recede into grassy bog and tundra.

### 2. Use Data\*

There is no data available, historic or present, that indicates any of the unnamed water bodies or creeks within the subject township have been navigable or used as a means of travel.

The unnamed water bodies are not accessible via navigable waters within the subject township. They are not accessible by land except on foot by travelling a great distance across terrain unsuitable for walking.

The unnamed water bodies are not located near commercially valuable resources nor are the shorelines suitable for the establishment of communities or other commercial ventures.

---

\*References: Index of Navigability-Historical Data, and Water Body Historical Data; and references therein. Gruman Ecosystems Report on Navigability Dtd. 1975.

### III. Recommendations

#### A. Water Bodies Found to be Nonnavigable by Reason of Nonuse

It is recommended that all the unnamed water bodies and unnamed creeks in the subject township be considered administratively nonnavigable in fact. No use of the water bodies for waterborne commerce is documented or known, neither prior to nor after Statehood.

#### B. Water Bodies Found to be Nonnavigable Due to Nonsusceptibility for Commercial Use as of Statehood

It is recommended that all unnamed creeks and unnamed water bodies in the township be considered administratively nonnavigable due to nonsusceptibility for commercial waterborne commerce. The water bodies within the subject township are not large enough for access, or the shorelines are not suitable for the establishment of communities or other commercial developments.

#### C. Water Bodies Found to be Navigable by Reason of Use Both Prior to and After Statehood

It is recommended that both Folger Slough and the Kantishna River be determined navigable in fact by reason of use both prior to and after Statehood.

**FF 94612**

D. Water Bodies Found to be Navigable Due to Susceptibility for  
Commercial Use

It is recommended that Folger Slough and the Kantishna River be  
determined navigable in fact due to susceptibility for commercial  
use.

Report Prepared by:

Ben Polusa

Name

Realty Specialist

Title

4/30/80

Date

Reviewed by:

Donald E. Pappas

Name

Historian

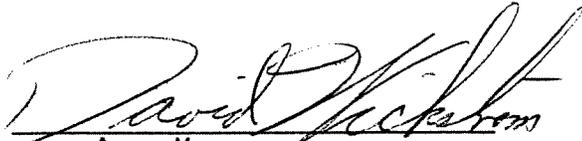
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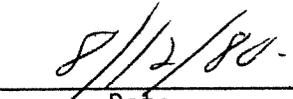
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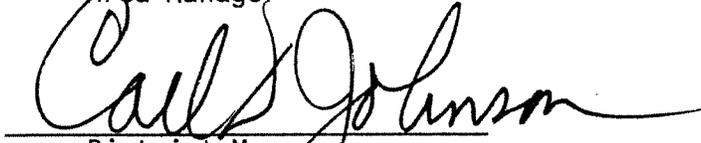
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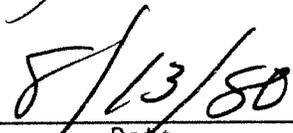
We, the undersigned, have reviewed the Land Report for State Selection (Navigability Recommendations) F-44020. It is technically adequate and all resource values have been considered to the best of our knowledge.

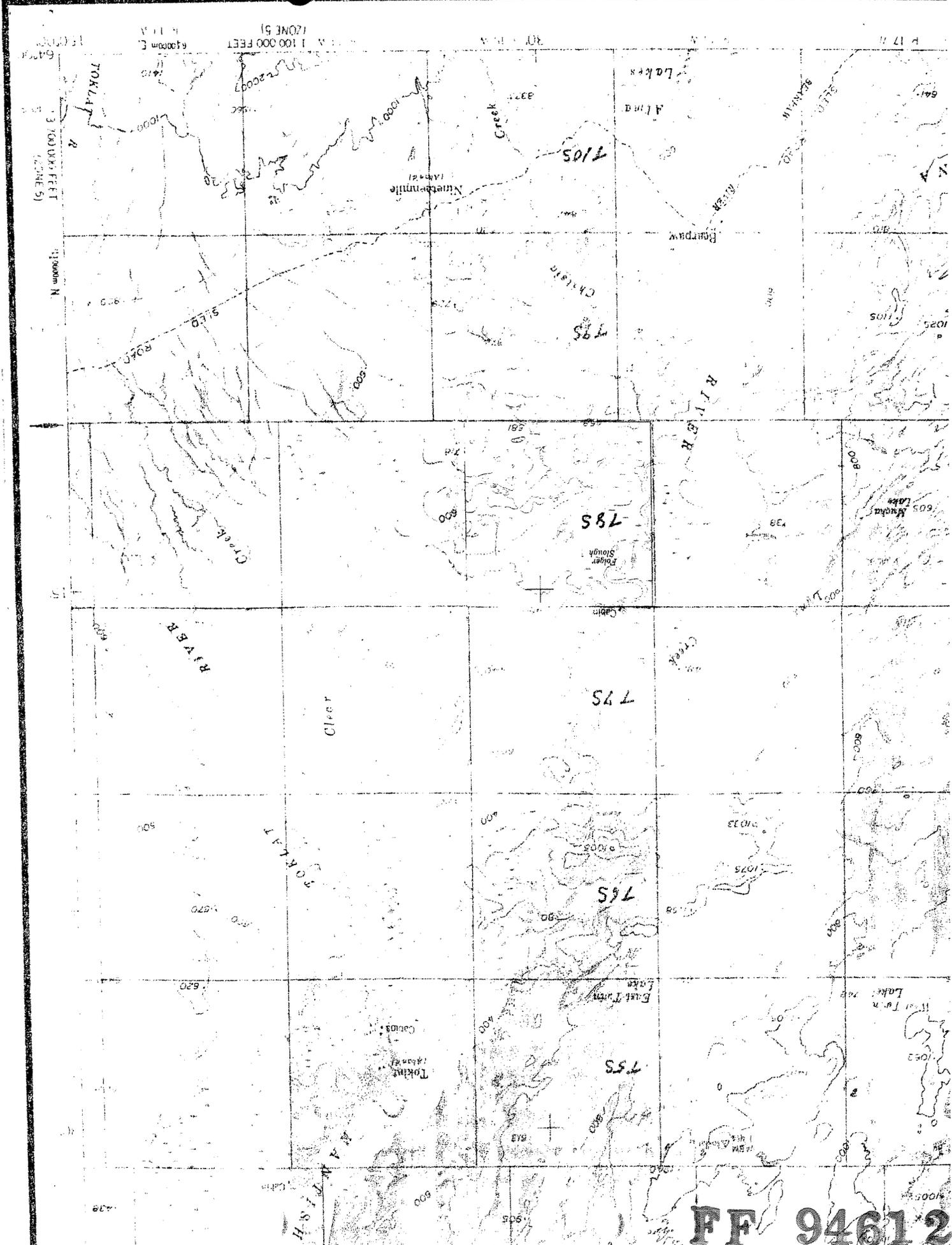
We concur with the recommendations made.

  
\_\_\_\_\_  
Area Manager

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
District Manager

  
\_\_\_\_\_  
Date



FF 94612



United States Department of the Interior

IN REPLY REFER TO

BUREAU OF LAND MANAGEMENT

2620 (NAV) (932)

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

MAR 16 1982

Memorandum

To: SD  
From: Chief, Division of Resources  
Subject: Navigability Review - State Selections

We have received reports from the Fairbanks District Office containing conclusions and recommendations as to the navigability or nonnavigability of waterbodies within areas selected by the State of Alaska.

The selections, which are shown on the USGS 1:250,000 Kantishna River and Mt. McKinley quadrangles are:

1) Kantishna River		
F 44714	T. 10 S., R. 14 W., F. M.	22,862
<u>F 44031</u>	T. 9 S., R. 17 W., F. M.	22,794
F 44037	T. 10 S., R. 15 W., F. M.	22,862
F 44032	T. 9 S., R. 18 W., F. M.	22,794
F 44033	T. 9 S., R. 19 W., F. M.	22,794
F 44030	T. 9 S., R. 10 W., F. M.	22,794
2) Mt. McKinley		
F 22910	T. 12 S., R. 20 W., F. M.	<u>23,004</u>
		159,904 Acres ±

Although the District reports do not specifically state that the State of Alaska's Water Delineation Maps were revised, all waterbodies in the townships are discussed in the report.

A review has been made of the reports, for content and consistency with the 12/14/79 AN CAB decision on navigable waters. I agree with the conclusions and recommendations contained in the reports and find them consistent with the AN CAB decision. Your concurrence is requested.

I Concur

MAR 16 1982

Assistant State Director

Date

FF 94619

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

LAND REPORT TITLE PAGE

State Alaska		District Fairbanks	
County		Resource area Yukon	
Type of Action Navigability Recommendation			Serial Number F-44031
Applicant's name State Selection		Address (include zip code)	
Date(s) of examination			

LANDS INVOLVED

TOWNSHIP	RANGE	MERIDIAN	SECTION	SUBDIVISION	ACRES
9S	17W	Fairbanks			22,794

Purpose of report

To make recommendations regarding navigability or nonnavigability of the water-bodies located within the above township.

Prepared by Marion L. England <i>Marion L. England</i>	Title Natural Res. Spec.	Date of report 12/21/81
---	-----------------------------	----------------------------

## I. Description of the Area Covered by this Report

Township 9 South, Range 17 West, Fairbanks Meridian

The subject township is located 59 miles southwest of the village of Nenana and 78 miles southeast of the village of Tanana.

The geology of the subject township is primarily undifferentiated unconsolidated deposits with some well-sorted floodplain, terrace and alluvial fan deposits associated with streams and creeks.

The topography of the subject township is very hilly with many creeks and lakes. The Kantishna River flows through the extreme southeast corner of the subject township. It is 1½ miles in length and has an average gradient of 5 feet per mile. The creeks, located within the subject township, have a gradient that ranges from 25 to 300 feet per mile. The maximum elevation, within the subject township, is 1,750 feet and the minimum elevation is 430 feet. The Bear Paw Mountains extend into the southwest corner of the subject township.

The climate is characterized by long, cold winters and short, warm summers. Freeze-up is in early October and breakup is in late May.

The vegetation within the subject township is primarily lowland spruce and hardwoods with some bottomland spruce and poplars.

The wildlife species within the subject township or passing through are moose, black bear, wolf, fox and common game birds. Some waterfowl summer here.

U.S. Geological Survey Quad:

Kantishna River 1:63,360

### B. Cultural Aspects of the Area

Cultural aspects of the subject township have not been completed. There are no Native allotments within the subject township.

## II. Description of the Water Bodies

### A. Unnamed Bodies of Water, Unnamed Creeks, Kantishna River

#### 1. All Unnamed Bodies of Water

These lakes, located within the subject township, have bottoms that are gravelly overlain with silt and thick vegetative matter. Their banks are undergoing constant erosion.

### All Unnamed Creeks and the Kantishna River

These creeks and the above named river, located within the subject township, have vegetative banks with gravelly beds that are covered by silt in some places. The creek and riverbanks are undergoing constant erosion. The creeks' gradient, located within the subject township, ranges from 25 to 300 feet per mile. The average gradient of the Kantishna River, located within the subject township, is 5 feet per mile.

#### 2. Use Data\*

There is no pertinent data available, historic or present, that indicates any of the water bodies, except the Kantishna River, located within the subject township, are navigable or have been used as highways of travel.

#### 3. Navigability Criteria

Criteria for making navigability recommendations comes from BLM State Office Instructional Memos 79-233, 79-233 Change 1, 79-233 Change 2, 79-301; the Garner Memo (Associated Solicitor to BLM Director, March 16, 1976); the State Director's Memo-- "Guidelines for the Exclusion of Water Acreage Under Inland Navigability Waters for Interim Conveyance Purposes"; ANCAB ruling #76-2 on the Nation and Kandik Rivers, December 14, 1976; and other studies, investigations, testimony, and guidelines that this examiner has been able to find.

The below navigability determinations are recommended after considering, 1) the history of use of the water body and, 2) the physical character of the water body as determined from maps.

### III. Recommendations

#### A. Water Bodies Found to be Nonnavigable by Reason of Nonuse

It is recommended that all the bodies of water, except the Kantishna River, located within the subject township, be considered administratively nonnavigable in fact. No use of the bodies of water for waterborne commerce is documented or known, neither prior to, nor after, Statehood.

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\*References: Index of Navigability-Historical Data, and Water Body Historical Data; and references therein. Grumman Ecosystems' Report on Navigability Dated 1975.

FF 94612

B. Water Bodies Found to be Nonnavigable Due to Nonsusceptibility for Commercial Use as of Statehood

It is recommended that all bodies of water, except the Kantishna River, located within the subject township, be considered administratively nonnavigable due to nonsusceptibility for commercial waterborne commerce. The shorelines are not suitable for the establishment of communities or other commercial ventures.

C. It is recommended that the Kantishna River, located within the subject township, be considered navigable in fact due to its previous use and its susceptibility for commercial waterborne commerce, borne out by the reports in the Index of Navigability-Historical Data, and Water Body Historical Data and references therein. They stated that the Kantishna River had been used by launch 50 miles above the Bear Paw River, and this township is below that point.

FF 94612

Report Prepared by

Morris England  
Name

Nat-Bes specialist  
Title

12/21/81  
Date

Reviewed by

John Cook  
Name

Navig Historian  
Title

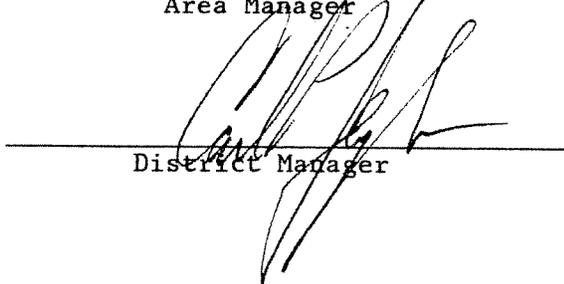
1-2-82  
Date

We, the undersigned, have reviewed the Land Report for State Selection (Navigability Recommendations) F-44031. It is technically adequate and all resource values have been considered to the best of our knowledge.

We concur with the recommendations made.

  
Area Manager

3/3/82  
Date

  
District Manager

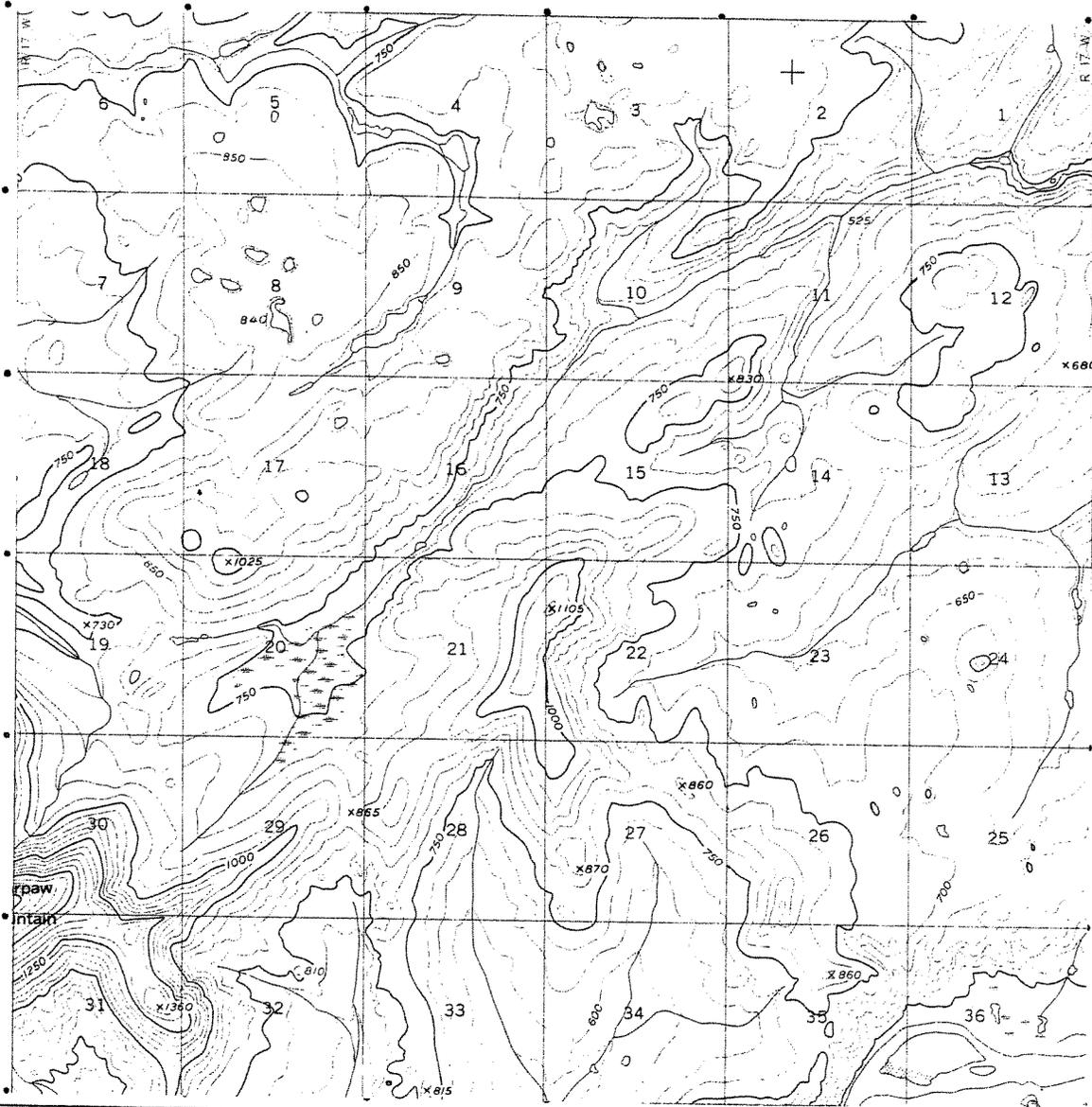
3/3/82  
Date

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

SITE PLOT

Serial Number F-44031

Township 9 South , Range 17 West , Fairbanks Meridian



LAND OWNERSHIP KEY AND ADDITIONAL TOPOGRAPHIC SYMBOLS

Scale: 1" = 63360

OTHER DATA


## Inland Navigable Rivers of Alaska

35

Page 3 of 9  
01/21/76

<u>Rivers</u>	<u>Approximate Miles</u>	<u>Remarks</u>
Holitna River	75	Tributary of Kuskokwim River. Navigable upstream to its confluence with Kogrukluk River.
Iditarod River	50	Navigable from Holy Cross to Dikeman.
Igoshik River		
Inklin River		
Innoko River	200	Tributary of Yukon River, navigability ends at Rennel Landing.
Ishkowik River	25	Is subject to tidal influence to major fork in the river in Sec. 28, T.1N., R.79W., S.M.
Jewn River	5	Navigable, tidal to center of Sec. 6, T. 2N., R.77W., S.M.
John River	275	Tributary of Koyukuk River, navigable to Hunt Fork.
Johnson River (Lower)	30	Upstream from mouth to Kasigluk.
Johnson River (Tundra River)	40	Navigable to Kasigluk.
<u>Kantishna River</u>	75	Tributary of Tanana River, navigable to Roosevelt.
Kasilof River	6	Navigable by shallow draft launch, drains Tustamena Lake.
Keeguk River		Chefornak area.
Kenai River	15	Barges dock at cannery at high water 1.5 miles upstream.

FF 94612