

## SCOTTIE CREEK NAVIGABILITY DETERMINATIONS

Name	Author	Year	Navigability Determination
Scottie Creek	BLM	April 15, 1983	Final Navigability Determination for State Selections in the Upper Chisana and Ladue River Drainage Areas. Mentioned that Scottie Creek is Navigable.
	BLM	June 29, 1994	Navigability Report: Scottie Creek. Window 1212; Group Surveys 177 and 242
	BLM	August 25, 1994	Additional Navigable Waters in Survey Window 1212. Refers that Scottie Creek is navigable from the Highwat bridge to Canada
	BLM	September 22, 1994	Additional Navigable Waters in Survey Window 1212. Refers to Scottie Creek navigable in Sections 13 and 24, T 10 N, R 23 E CRM.



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

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

Nabesna-SS-83-04  
FF-044624 1/  
2628 (962) (NAV)

APR 15 1983

Memorandum

To: Acting Chief, Division of ANCSA and State Conveyances (960)  
From: Acting Assistant to the State Director for Conveyance Management (913)  
Subject: Final Navigability Determination for State Selections in the Upper Chisana and Ladue River Drainage Areas

This is the final navigability determination for water bodies on lands located within the twenty townships identified on the Navigability Report title page.

The attached report is based on a review of available maps and recorded material, as well as interviews.

Based on the information in the previous navigability reports and this Navigability Report, I determine the Chisana River, Mark Creek, and the lower reaches of Scottie Creek in T. 11 N., R. 22 E., Copper River Meridian, to be navigable. All other named and unnamed water bodies in the subject townships are nonnavigable.

/s/ Robert W. Faithful IV

cc:

State of Alaska  
Navigability Project  
Pouch 7-005, 555 Cordova Street  
Anchorage, Alaska 99510

1/ FF-043709, FF-044625, FF-043710, F-028021, FF-079631, FF-079647, F-028023,  
FF-079616, FF-079632, FF-079648, FF-079602, FF-079617, FF-079633,  
FF-079649, FF-079589, FF-079603, FF-079618, FF-079634, FF-079650

NAVIGABILITY REPORT  
NABESNA-SS-83-04

I. INTRODUCTION

1. Policy Guidelines

- a. Memorandum from Hugh C. Garner, Solicitor's Office, Washington, D.C. to Director, Bureau of Land Management, "Title to Submerged Lands for Purposes of Administering ANCSA," March 16, 1976.
- b. Regional Solicitor's letter dated February 25, 1980, Kandik, Nation Decision on Navigability.
- c. Instruction Memorandum No. AK-81-78, Change 1.

II. LOCATION

The report area is comprised of all available lands located within the twenty (20) townships shown on the Navigability Report title page. The report area is adjacent to the Canadian border and is located about 400 miles southeast of Fairbanks.

III. DEVELOPMENT

Development within the report area is limited and is confined to those areas near or adjacent to the Alaska Highway. A few roadhouses and campgrounds appear within the area. A pipeline from Haines to Fairbanks parallels the road while passing through the report area. A couple of cabins designated High Cache on U.S. Geological Survey maps are located near Scottie Creek just south of the report area.

IV. LAND STATUS (MTP'S)

Portions of T. 13 N., R. 20 E., T. 14 R. 20 E., and T. 16 N., R. 20 E., Copper River Meridian have been selected by village and/or regional corporations. As expected the MTP's show most patented land to be near or adjacent to the Alaska Highway. A Native allotment is located at the confluence of Chisana River and Scottie Creek. Other allotments are located within the report area but most of these are near the highway. Several mining claims are shown in T. 14 N., R. 23 E., Copper River Meridian in the headwaters of the McArthur Creek. Several townships especially those to the north have no recorded claims.

## V. ACCESS

Access to the report area could be by the Alaska Highway or by floatplane to some of the larger lakes. A trail leaving the Alaska Highway in the southeast corner of T. 12 N., R. 22 E., provides access to a few cabins located north of the highway. A trail south from the Alaska Highway to High Cache is also shown on the USGS quadrangles. Access and egress to Scottie Creek may be possible from the Alaska Highway. According to the USGS quadrangles, no designated airstrips are located within the report area. The nearest airstrips are located at Riverside Lodge, Tetlin, Tok Junction, and Northway.

## VI. MAPS

USGS Quadrangles (scale 1:250,000) Nabesna (1956-minor revisions 1967) and Tanacross (1960) were utilized while preparing this report. The appropriate 1:63,360 quadrangles were also reviewed to determine gradients. Given the dates of the quadrangles, additional development, especially along the highway, has probably occurred.

## VII. PREVIOUS DETERMINATIONS

By memo dated March 22, 1979, the State Director determined as follows:

- a. The Chisana River from its mouth to Scottie Creek be determined navigable on the basis of susceptibility. It is further recommended that the Chisana River from Scottie Creek to its head and all tributaries of Chisana River be determined nonnavigable.
- b. All other lakes and creeks affected by Northway Natives, Inc., selection applications F-14912 A and B under the Alaska Native Claims Settlement Act be determined nonnavigable.

By memo dated March 28, 1980, the State Director amended the previous determination and found Mark Creek to be navigable. Accordingly within the Chisana drainage area portion of this report area, the Chisana River and Mark Creek are navigable and all other named and unnamed water bodies are nonnavigable. After reviewing the available information the author of this report agrees with all previous determinations except for that of Scottie Creek (Chisana Drainage).

This report, therefore, will not discuss, other than Scottie Creek, use information on water bodies within the Chisana Drainage area but will rather focus on all other water bodies (i.e., Upper Ladue River drainage area).

## VIII. WATER BODIES

The report area is split between two drainage areas. The Chisana (Tanana) drainage lies in the southern portion and the headwaters of the Ladue (White River and Yukon via Canada) drainage lies in the northern portion

ADDITIONAL MAPS  
F 11 N 0 2 2 5  
MARK CREEK  
SCOTTIE CREEK

of the report area. The Ladue River and all tributaries of the Chisana are nonglacial whereas the Chisana has a glacial origin. Physical descriptions of all named water bodies within the report area is as follows.

<u>Lakes</u>	<u>Length (mile)</u>	<u>Area (acres)</u>
*Island	1	300
*Deadman	1.3	340
*Tenmile	2	400
*Yarger	1.2	500
*Eliza	1	500
*Damundtali	.25	40

<u>Streams</u>	<u>Width (feet)</u>	<u>Gradient (feet/mile)</u>
*Chisana River	+80	6
*Scottie Creek	±80	3
*Desper Creek	-80	3 to 17
*Yellow Water Creek	-80	25
*Gardiner Creek	-80	6 to 33
*Tenmile Creek	-80	50
*Silver Creek	-80	50
*Mark Creek	-80	5
*Beaver Creek	-80	100
South Fork Ladue River	-80	20 to 100
McArthur Creek	-80	16 to 50

\*Previous State Director Determination

Numerous small unnamed lakes are located within the Chisana drainage portion of the report area. Many of these are land locked as there is no apparent surface outlet. Several small unnamed streams are also located within the report area. These typically are narrower and steeper than any of the named streams.

## IX. USE INFORMATION

The Chisana River and Mark Creek were previously found navigable so no attempt was made to gather use information on these water bodies.

Except for Scottie Creek, the AEIDC contract material contained no information regarding watercraft use on streams within this report area. Information was provided on a few of the streams but it had to do with highway bridges or waysides. A few of the lakes, especially those close to the Alaska Highway or campgrounds, were noted for their recreational use. Ladue River was noted by Robert A. McKennan, who traversed the upper Tanana region in 1929-1930 to study the Tanana Indians, as being one of the more generally used trails for trade from the Tanana overland to Ladue River and then down the Ladue and White rivers to the Yukon. A map prepared by U.S. Coast and Geodetic Survey-Yukon River, Alaska (date June 1898) was reviewed and indicated that a trail leading from the Tanana near

Tetlin joined the Ladue River about ten miles east of Longitude 142°. The portion of the Ladue that was apparently used as a route of trade is located downstream from the tributaries of the Ladue that are located within this report area.

Scottie Creek according to McKennan was a lesser used route (travel and trade) from the Tanana to White River. An account taken from page 30 of The Upper Tanana Indians by Robert A. McKennan (published by the Department of Anthropology, Yale University, 1959) is provided below:

All the older Indians recount tales of their early journeys to the white man's stores on the Yukon, and the names of "Jock" McQuesten and Joe Ladue were mentioned many times to me. Several trails lead to the Yukon, one by the way of Scottie Creek and the White River, but those more generally used simply struck north from the Tanana and then down either Fortymile or Ladue creeks.

INTERVIEW SEE CONCLUSIONS

## X. CONCLUSIONS

The Chisana River and Mark Creek are navigable per previous State Director determinations. All other water bodies within the Chisana Drainage area portion of this report area have been determined non-navigable. The author of this report agrees with all the previous nonnavigable determinations except for that of Scottie Creek. Additional information leads this author to believe that Scottie Creek is navigable. Although it is known that travel and trade occurred via Scottie Creek, it is not clear if it was during the summer or winter (or both) or whether it was overland or by boat. Transport by boat on Chisana River and Scottie Creek as far upstream as practical and then overland to White River and downstream by boat on White River seems the more likely summer route and sleds or snowshoes over the frozen water bodies seems the more likely winter route. According to BLM Fortymile Resource Area personnel, canoe, kayaks, and small flat-bottomed river boats do use the creek downstream of the Alaska Highway bridge. This use is primarily for access to hunting and fishing areas. In addition, they thought that trappers used the river during the fall in boats to haul in supplies and build and maintain line cabins for winter trapping by snowmobiles. In addition, access and egress to Scottie Creek may be possible from the Alaska Highway. Lastly, the author feels that High Cache may have been a trading point and/or Native village. Boats may have been taken up the Chisana and Scottie Creek to High Cache when traders bartered for furs.

Scottie Creek's headwaters are in Alaska. The creek loops into Canada and returns to Alaska and joins the Chisana River just south of the report area. The physical characteristics of the upper reaches of Scottie Creek are markedly different than those of the lower reaches. The upper reaches are less than 80 feet in width and gradient exceeds 25 feet/mile whereas in the lower reaches the river is greater than 80 feet in width and gradient is only about 3 feet/mile. The author feels that practical navigability ends at some point in Canada; thus the lower reaches of Scottie Creek are navigable and the upper reaches are nonnavigable.

Although it seems that the mainstream of the Ladue River is navigable up to some point in Alaska, the tributaries of the Ladue (South Fork and McArthur Creek) are felt to be well upstream of that point. There is no available information regarding use of these water bodies by any type of watercraft.

The absence of use information coupled with the physical characteristics leads the author to believe that all other water bodies are nonnavigable. It is felt that many of the streams and lakes are used in their frozen state as they afford the easiest winter pathway into roadless areas. In addition, floatplanes probably land on many of the larger lakes and recreational boating may occur on some of the streams and lakes within the report area.

However, under existing criteria recreational use, floatplane use and frozen state use by themselves do not lead to a determination of navigability.

#### XI. REPORT AREA RECOMMENDATIONS

Based on previous State Director determinations dated March 22, 1979 and March 28, 1980 (Northway Area-F-14912-A), the Chisana River and Mark Creek are navigable. Based on either this report or the previous determinations, I recommend that the lower reaches of Scottie Creek in T. 11 N., R. 22 E., Copper River Meridian be determined navigable and that all other water bodies in the subject twenty townships be determined non-navigable.

Prepared by C. M. Wheeler  
Mac Wheeler

Date 11 Apr. 83

Reviewed by /s/ C. Michael Brown

Date APR 11 1983

Reviewed by /s/ Sherman F. Berg

Date APR 11 1983

**NAVIGABILITY REPORT: SCOTTIE CREEK**  
**Window 1212; Group Surveys 177 and 242**

**BACKGROUND INFORMATION**

Local Name: Scottie Creek

Nearest Settlement: Northway

General Information: The Alaska Highway parallels the selected lands on the west. The Canadian border lies east of the report lands. A Native allotment is located at the confluence of the Chisana River and Scottie Creek. High Cache Trading Post is located on Desper Creek, a tributary of Scottie Creek (mile 6). A trail leads from the highway to High Cache. Border City Trading Post and Scottie Creek Lodge are between two to three miles north of the creek adjacent to the highway (USGS map).

Length of Water Body: 50 miles<sup>1</sup>

Watershed: Chisana River

USGS Quadrangle in selected area: Nabesna C-1

Aerial Photograph in selected area: Cir: 60, roll 3013, frame 4110, August 1981

Was a determination made using Photo Interpretation? No.

Determination:

Date:

Was a Field Report/Interview Report Created? Yes.<sup>2</sup>

## SUBMERGED LAND STATUS

Township	Section Number	Miles	Status and Remarks
10 N., 22 E., CRM		1, 2, 3	Unselected; Tetlin NWR
11 N., 22 E., CRM		0 & 3	Unselected; Tetlin NWR; navigable <sup>3</sup>
10 N., 23 E., CRM	Secs. 6, 7, 14-18, 23, 24, west of the Alaska Highway	3-12	Unselected; Tetlin NWR
	Secs. 13 and 24, east of the Alaska Highway	12-14	State-selected F-88517
	Sec. 24	12	Patented (USS 5127) on both sides of Alaska Highway

## PHYSICAL CHARACTERISTICS

Type of Water Body: Creek

Vegetation: Spruce along creek near highway<sup>4</sup>

Velocity of Water Body: Unknown

Discharge Volume (max, min, mean): Unknown

Gradient: <1' per mile.

Channel Width (mile to mile max, min, mean): Same as bank-to-bank width

Bank-to-Bank Width (mile to mile): Approximately 120' from mouth to mile 6; 60' or less upstream to and into Canada<sup>5</sup>

Source	Impediments (nature and location)	Miles
Jenny Sanford <sup>6</sup>	Large beaver dam at border	12-14

Pat Johnny <sup>7</sup>	Some fallen trees (usually in the spring)	12-14
Huston Sanford, Jr. <sup>8</sup>	Brush, beaver dams & tussocks	12-14
Teddy Northway <sup>9</sup>	Large beaver dam at border	12-14
Mary Tyone <sup>10</sup>	Lots of driftwood	12-14
Dave Dapkus <sup>11</sup>	A few logjams in the creek	0-12

Pool/Riffle: Not available.

Source	Depth	Miles
Ralph W. Wilson <sup>12</sup>	6' in early August 1973	12-14
Jenny Sanford <sup>13</sup>	4'-5' from spring to fall	12-14
Pat Johnny <sup>14</sup>	More than 5' from spring to fall	12-14
Brady Jimmy <sup>15</sup>	3'-4' in summer, spring snowmelt deep	12-14
Bessie John <sup>16</sup>	5'-6'	12-14
Teddy Northway <sup>17</sup>	3'-5' spring & summer, 2'-3' fall	12-14
Huston Sanford, Jr. <sup>18</sup>	3'-4'	12-14
Danny Grangaard <sup>19</sup>	6'-8'. The Tanana backs up and causes the creek to remain high even during dryer periods in the summer.	0-14
Dave Dapkus <sup>20</sup>	3'-5'	0-12
David James <sup>21</sup>	10'-15'	0-12

Other: None

USES (who, what, why, when, where, how):

Commercial: None known

Historical:

Direct Evidence:

1. In 1983, BLM Fortymile Resource Area personnel reported that canoe, kayaks and small flat-bottomed river boats are used on the creek downstream of the Alaska Highway bridge primarily for hunting and fishing.<sup>22</sup>
2. Jenny Sanford and family took 10' canoes to the border. Her father often carried supplies of dried meat and moose, guns, fish nets, food, 2-3 people (at least 1,000 pounds) 25 miles into Canada, from spring to fall.<sup>23</sup>
3. Jenny's father "White River Johnny" and her family hunted muskrat and fished on the creek in 10' (2' wide) canoes.<sup>24</sup>
4. Pat Johnny used homemade 10' birch-framed canoes covered with canvas and 14' aluminum canoes on Scottie Creek into Canada carrying moose and 2 people. Often he carried 3 people. They pulled the canoes over deadfalls or axed or chainsawed them out.<sup>25</sup>
5. Brady Jimmy took a 16' boat from the Chisana far into Canada.<sup>26</sup>
6. Bessie John canoed from Canada to High Cache (a possible former trading post at mile 1 on Desper Creek) and to the Chisana River, carrying moose and supplies. The canoes held 4 people. Everyone in her family carried moose and supplies and visited Indian friends along the creek from Canada to the Chisana.<sup>27</sup>
7. Danny Grangaard took a 16' airboat (35-hp motor) carrying 500-600 pounds from the bridge to Canada. He took a 17½' canoe and a 14' airboat (total of two people and supplies 800 pounds) between the bridge and the border.<sup>28</sup>
8. Mary Tyone canoed a short distance east of highway.<sup>29</sup>
9. Dave Dapkus boated from the creek's mouth to the bridge. He also took a 19' canoe (5-hp motor) and paddled with 2 people, tents and other supplies (600 pounds) from the bridge downstream on the creek.<sup>30</sup>

Indirect Evidence (i.e., cultural features such as trails, Native allotments, historic sites, etc.):

The Alaska Highway crosses the creek over a bridge at creek mile 12.<sup>31</sup> Travel and trade occurred via Scottie Creek but it is not clear if it was during the summer or winter or both. It is also not known if travel was overland or by boat. At mile 1 on Desper Creek (a tributary of Scottie Creek) is a possible former trading post "High Cache." A trail leads from High Cache to the Alaska Highway.<sup>32</sup>

Public Opinion (susceptibility to use):

1. A BLM hydrologist believes that Scottie Creek may have been part of a trade route to the Yukon River. He suggested that Indians boated up the Chisana River and Scottie Creek as far as practical and then went overland to White River and then down White River by boat. He felt that Scottie Creek is navigable to some point in Canada.<sup>33</sup>

2. In 1983, BLM Fortymile Resource Area personnel thought that boats may have been taken up the Chisana River and Scottie Creek to High Cache (mile 6) where traders bartered for furs. Trappers used the river during the fall in boats to haul in supplies and build and maintain line cabins for winter trapping by snowmobile.<sup>34</sup>

3. Teddy Northway and Huston Sanford, Jr., walked the creek from the highway to the border. Teddy said that one can take loaded boats and canoes with moose all the way down the creek from the border. Huston believes that one can carry a load but it would be difficult.<sup>35</sup>

4. Danny Grangaard stated that people boat from Northway to the bridge.<sup>36</sup>

5. Dave Dapkus said people use johnboats from the bridge to the creek's mouth. People take canoes into Canada.<sup>37</sup>

6. David James said that his sons have taken 20' freight canoes and river boats carrying 1,500 pounds on the creek from the bridge to the creek's mouth.<sup>38</sup>

**CONCLUSION** (Gulkana River Standard)  
(at least three facts should support conclusion)

Navigable (explain): Undetermined

I conclude that this creek may be susceptible to navigation in Secs. 13 and 24, T. 10 N., R. 23 E., CRM, east of the Alaska Highway. Observers reported that this meandering creek is about 60' wide in this reach, and about 3 to 6' deep--clearly susceptible to navigation. Historically, local residents have traveled the creek for subsistence use, carrying substantial loads of supplies and people in canoes and boats as far upstream as into Canada. In view of local residents' opinions, I believe that further investigation is needed through a field examination.

Nonnavigable (explain): Undetermined

Report Prepared By: Dot Tedman Date: 6-29-94

## Notes

1. Orth 1967, 846.
2. Dot Tideman to File F-14912(75.4), May 24, 1994.
3. Robert W. Faithful IV to Acting Chief, Division of ANCSA and State Conveyances, April 15, 1983, file F-44624.
4. Ralph W. Wilson, "Field Notes of U.S. Survey No. 5127," August 27, 1974.
5. CIR: 60, roll 3013, frame 4110, August 1981.
6. Tideman 1994, 7.
7. Tideman 1994, 9.
8. Ibid.
9. Tideman 1994, 5.
10. Tideman 1994, 6.
11. Tideman 1994, 10.
12. Ralph W. Wilson, Field Notes of U.S. Survey No. 5127," August 27, 1974.
13. Tideman 1994, 3.
14. Tideman 1994, 9.
15. Tideman 1994, 4.
16. Tideman 1994, 8.
17. Tideman 1994, 5.
18. Tideman 1994, 6.
19. Tideman 1994, 10.
20. Ibid.
21. Tideman 1994, 3.

22. C.M. Wheeler, "Navigability Report: Nabesna-SS-83-04," April 11, 1983, Navigability Section files.
23. Tideman 1994, 11.
24. Tideman 1994, 7.
25. Tideman 1994, 9.
26. Tideman 1994, 4.
27. Ibid.
28. Ibid.
29. Ibid.
30. Tideman 1994, 10.
31. USGS Quadrangle Map Nabesna C-1 1955.
32. C.M. Wheeler, "Navigability Report: Nabesna-SS-83-04," April 11, 1983; Robert W. Faithful IV to Acting Chief, Division of ANCSA and State Conveyances, April 15, 1983, file F-44624.
33. Ibid.
34. Ibid.
35. Tideman, 5, 6.
36. Tideman, 9.
37. Tideman, 10.
38. Tideman, 11.



## United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
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~~F-14912~~  
Nabesna-GS-FY'94  
F-024675 (2561)

August 25, 1994

### Memorandum

To: File F-88517 (2620)

From: Navigable Water Specialists (924)

Subject: Additional Navigable Waters in Survey Window 1212 (Group Surveys 117 and 242)(Report dated June 24, 1994)

On August 4th, I left Anchorage at 7 a.m. and Jack Frost and I left Peters Creek by car at 8 a.m. for Tok. We arrived at Tok at 3 p.m. We stopped at the Fish and Wild Life Service (Tetlin National Wildlife Refuge) and met with Dave Dapkus who loaned us a light-weight fifteen-foot canoe. Dave introduced us to Susan Matthew who is the Tetlin National Refuge manager. Dave also indicated that he thought we would have a difficult time going up the Desper Creek due to log jams.

In addition, we also stopped at the Department of Fish and Game and met Dan Grangaard who would be accompanying us on the trips. We felt that his knowledge and experience in the region would benefit us.

As it was still light, Jack and I took the canoe and headed for the left-bank tributary of Charlieskin Creek. We spent several hours there and then continued to Charlieskin Creek, and then back to the hotel at 10 p.m.

Because the canoe was exceptionally light and tipped constantly and the motor did not work properly on the canoe, we took the canoe back to Fish and Wildlife Service and exchanged it for a sturdier fifteen-foot Grumman sport canoe. On Friday, Dan, Jack and I visited Desper, Scottie, Little Scottie, the right-bank tributary of the Little Scottie Creek in the E $\frac{1}{2}$  of Sec. 24, T. 10 N., R. 23 E., CRM, and the two small lakes which Scottie Creek flows through. As we had time, we also revisited the left-bank tributary of Charlieskin Creek up to its confluence with Charlieskin Creek, with Dan Grangaard.

According to Grangaard, there is a twenty-five year drought in the report area and the streams and lakes are exceptionally low in Tps. 10 and 11 N., R. 23 E., CRM. We measured all of the streams with a 7' poling pole. Photos taken on August 5th, of all the streams are attached.

### Scottie Creek

On Scottie Creek, we headed upstream from the Alaska Highway in the fifteen-foot canoe with a 6-horsepower motor to the Canadian border. The Scottie is 7' deep (or more) all the way. It is 50-70 feet wide. Some of the bends are 150' wide. We shut the motor off and pulled the canoe over the first spruce tree and powered and poled it over the next three. The banks of the creek are covered with spruce, willow and birch. (Photos 1-12.) We believe that the creek is navigable from the Highway bridge to Canada. It is deep and wide enough to support commercial craft.

### Little Scottie Creek to the Canadian Border and Lakes in the SE $\frac{1}{4}$ of Sec. 24, T. 10 N., R. 23 E., CRM and in the NE $\frac{1}{4}$ of Sec. 25, T. 10 N., R. 23 E., CRM

We headed up Little Scottie Creek about  $\frac{1}{2}$  mile and then up the right-bank tributary of Little Scottie Creek. We canoed back down the tributary and continued up Little Scottie to the lake at the highway. Jack got out and walked back to get the truck. Grangaard and I completed the field report to the Canadian Border. Even though there is a twenty-five year drought this year in this area, the creek remains 7 feet deep at its confluence with the Scottie, swallowing to 2-4 feet from there through the two small lakes and to the highway. According to Grangaard, the creek is 4-5 feet deep when there is no drought. The stream remained about 15' wide its entire distance. Small birch trees line the banks, however, when they were in the way, we motored over them. Once, we hit grass about one-half way between the tributary and the lake at the highway, however, we cleared the grass from the motor and continued on. The lower reaches of the creek and the lakes were filled with pike. (Photos 13-22.) We find the entire creek navigable to the Canadian border. Even in a drought, three people carrying supplies easily canoed this distance without difficulty. The entire creek is deep and wide enough to support commercial craft.

### Right-Bank Tributary of Little Scottie Creek in the NE $\frac{1}{4}$ of Sec. 24, T. 10 N., R. 23 E., CRM

We headed up Little Scottie Creek to the left-bank tributary in the NE $\frac{1}{4}$  of Sec. 24, T. 10 N., R. 23 E., CRM, then up the tributary and several miles into Canada. The tributary's depth and width remained the same for this distance (approximately 7' deep and 15' wide). Willow and soft birch lined the banks. It was easy to travel because there were no large trees in the stream. (Photos 23-29.) We find this tributary navigable to the Canadian border. Three people carrying supplies navigated this distance without difficulty. It is definitely suitable to carry commercial craft this distance.

Left-bank Tributary of Charlieskin Creek in Native Allotment F-024675 in Secs. 21 and 28, T. 14 N., R. 19 E., CRM

Dan, Jack, and I canoed from the highway bridge through the lakes between the highway and Charlieskin Village on to the westernmost stream through Native Allotment F-024675 and on to Charlieskin Creek. Grangaard clarified his earlier statement about which lake was dried up and that it was not the lakes west of Charlieskin but the long lake south of Charlieskin Village in Secs. 27 and 28. The water was extremely high because the Nabesna Glacier is melting causing the Nabesna and Chisana rivers to be high and then backing up into Moose and Charlieskin creeks and the lakes. The westernmost stream is difficult to find because of the high water and flooding. Tall grasses grow in the stream bed and along the stream's banks. The portion of land north of Charlieskin village and southeast of the allotment is not land as shown on the USGS maps but is a 100' wide stream which runs into a large lake northeast of the allotment. (Photos 43-50). We believe that this stream is navigable. We easily canoed through the Native allotment to Charlieskin Creek. The stream is deep and wide enough to support commercial craft.

The westernmost stream's main channel is at least 7 feet deep. Grangaard said that it is up to 10-15 feet deep. There were minimal sweepers in the stream.

Easternmost stream from Charlieskin village in Native allotment F-024675 in Sec. 28, T. 14 N., R. 19 E., CRM

The quarter-mile stream which is shown on USGS Nabesna D-2 map as joining the westernmost stream through the allotment is about 50 feet wide and has logs and stumps in it. We looked for the confluence of it and the westernmost stream but there were no streams joining the westernmost stream. (Photos 51-54). We made several attempts to get into the stream but found it difficult to get beyond its mouth because of the logs and stumps. This stream is not suitable for commercial craft.

Desper Creek

We drove to the highway bridge and near Border City Trading Post and put the canoe in at the bridge on Desper Creek. We started up the Desper and found the first spruce logs across the creek about 200 yards above the bridge. Grangaard said that no one had used the creek in a long time. We tried to get into the lake in the E½ of Sec. 1, T. 10 N., R. 23 E., CRM, but the stream was filled with logs and spruce. We headed back to the main stream of the Desper and proceeded upstream, however, the logs in the creek increased and the brush became thicker until it was not worth fighting. We went as far as the left-bank tributary in Sec. 2, T. 10 N., R. 23 E., CRM and turned back. The creek remained about 4-7 feet deep for as far as we could see. It ranges from 15-30 feet wide. Grangaard said that once one gets through this part of the creek, it is clearer of trees and canoeable to the lake outlet stream. (Photos 30-42.) We find Desper Creek nonnavigable for commercial craft. We fought log jams and thick brush the entire distance. Navigation is nearly impossible.

We got back to Tok at 5:30 p.m. and returned the canoe and supplies to Fish and Wildlife Service. We left Tok at 6:20 p.m. We arrived in Peters Creek at 1:00 a.m., and in Anchorage at 2:00 a.m.

/s/ Dot Tideman

/s/ Jack Frost

Attachment  
Photos

924:DTideman/JFrost:an:8/29/94:x3611:TRIP.RPT



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
ALASKA STATE OFFICE  
222 W. 7th Avenue, #13  
ANCHORAGE, ALASKA 99513-7599

Nabesna-GS-FY'94  
F-024675 (2561)  
F-43709 (2620)  
F-88517 (2620)  
F-14912 (75.4)

10-29-25A77:02

SEP 22 1994

## Memorandum

To: Chief, Branch of Survey Preparation and Contracts (923)

From: Chief, Navigability Section (924)

Subject: Additional Navigable Waters in Survey Window 1212 (Group Surveys 117 and 242)

This memorandum identifies additional navigable waters below the meanderable size in three townships in survey window 1212 (Northway). The memo is a supplement to the June 24, 1994 report for this window. These water bodies are on lands selected under the Alaska Native Claims Settlement Act (ANCSA), the Statehood Act, or the Native Allotment Act, and not reserved at the time of statehood. In addition, the memo identifies navigable water bodies excluded from land conveyances under ANCSA or the Statehood Act in the three townships.

The report area is located in the headwaters of the Tanana River in eastern Alaska. Besides the Tanana River, the principal rivers in the area are the Nabesna and Chisana rivers.

After researching the conveyance actions and considering the water bodies' physical character and the evidence of use, we identified the additional following water bodies (all below the meanderable size) in the report area as navigable:

1. Scottie Creek east of the Alaska Highway in Sec. 13 and 24, T. 10 N., R. 23 E., CRM.
2. Little Scottie Creek in Secs. 24 and 25, T. 10 N., R. 23 E., CRM and the two lakes it flows through.

3. Right-bank tributary of Little Scottie Creek in E½ of Sec. 24, T. 10 N., R. 23 E., CRM.

4. Left-bank tributary of Charlieskin Creek (westernmost mouth) in Native allotment F-024675 in Secs. 21 and 28, T. 14 N., R. 19 E., CRM.

The navigable water bodies are described on a township-by-township basis in Appendix I. Lakes and streams previously determined navigable that are difficult to describe, are shown on the attached site plot map.

In addition, we field-inspected Desper Creek and found it nonnavigable. The creek was clogged with spruce, alder and birch.

We also inspected the easternmost stream from Charlieskin village in Native allotment F-024675 in the NE¼ of Sec. 28 and found it to be nonnavigable. It is filled with deadfalls and tree stumps, and it does not connect with the left-bank tributary as shown on the USGS Nabesna D-2 quadrangle map.

We did not consider the navigability of water bodies above the meanderable size. These include lakes and the Tanana, Chisana, and Nabesna rivers. Nevertheless, it should be noted that these rivers and some lakes were classified as navigable at the time of conveyances to the State and Native corporations.

We also did not consider the navigability of water bodies on interim conveyed lands. The village and regional corporations in this area decided against navigability redeterminations. Therefore, as far as water bodies below the meanderable size are concerned, only those that were excluded from interim conveyances or tentative approvals should be meandered and segregated from the survey of interim conveyed uplands.

Water bodies below the meanderable size that are not listed in Appendix I are non-navigable. The streams and creeks are too shallow, steep, or narrow for commercial navigation. The lakes are too small for commercial navigation. These water bodies should not be meandered and segregated from the survey of uplands.

*C. Michael Brown*

Attachments (3)

- 1 - Appendix I
- 2 - USGS Quadrangle Maps
- 3 - Bibliography

cc:

State of Alaska  
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Suite 960  
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State of Alaska  
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Tetlin National Wildlife Refuge  
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Tok, Alaska 99780

Alaska Department of Fish and Game  
PO Box 355  
Tok, Alaska 99780-0355  
Attn: Dan Grangaard

U.S. Coast Guard  
17th District  
P.O. 25517  
Juneau, Alaska 99802-5517  
Attn: Jim Helfinstine  
w/report on Scottie Creek

U.S. Fish and Wildlife Service  
1011 East Tudor Road  
Anchorage, Alaska 99503  
Attn: Sharon Janis

Chief, Branch of Doyon/Northwest Adjudication (964)

Chief, Branch of Field Surveys (921)

Chief, Branch of Examination and Records (922/Attn: Records)

Chief, Mapping Section (924)

Chief, Platting Section (924)

Chief, Special Instructions Section (925)

Chief, GCDB Section (923)

DM (080)

Tok Field Office (085)

## Appendix I

Additional Navigable Waters Bodies Below the Meanderable Size on Lands  
Selected under ANCSA, Alaska Statehood Act, or Native Allotment Act  
in Survey Window 1212, Group Surveys 117 and 242 (Northway),  
by Township

Copper River MeridianT. 14 N., R. 19 E. (In Native allotment F-024675)

Left-bank tributary of Charlieskin Creek in Secs. 21 and 28 (westernmost mouth). (See Site Plot map.)

T. 10 N., R. 23 E.

Scottie Creek east of the Alaska Highway. Little Scottie Creek from its mouth to the Canadian border and the two lakes it passes through in the SE $\frac{1}{4}$  of Sec. 24 and the NE $\frac{1}{4}$  of Sec. 25. Right-bank tributary of Little Scottie Creek in the NE $\frac{1}{4}$  of Sec. 24. (See Site Plot Map.)

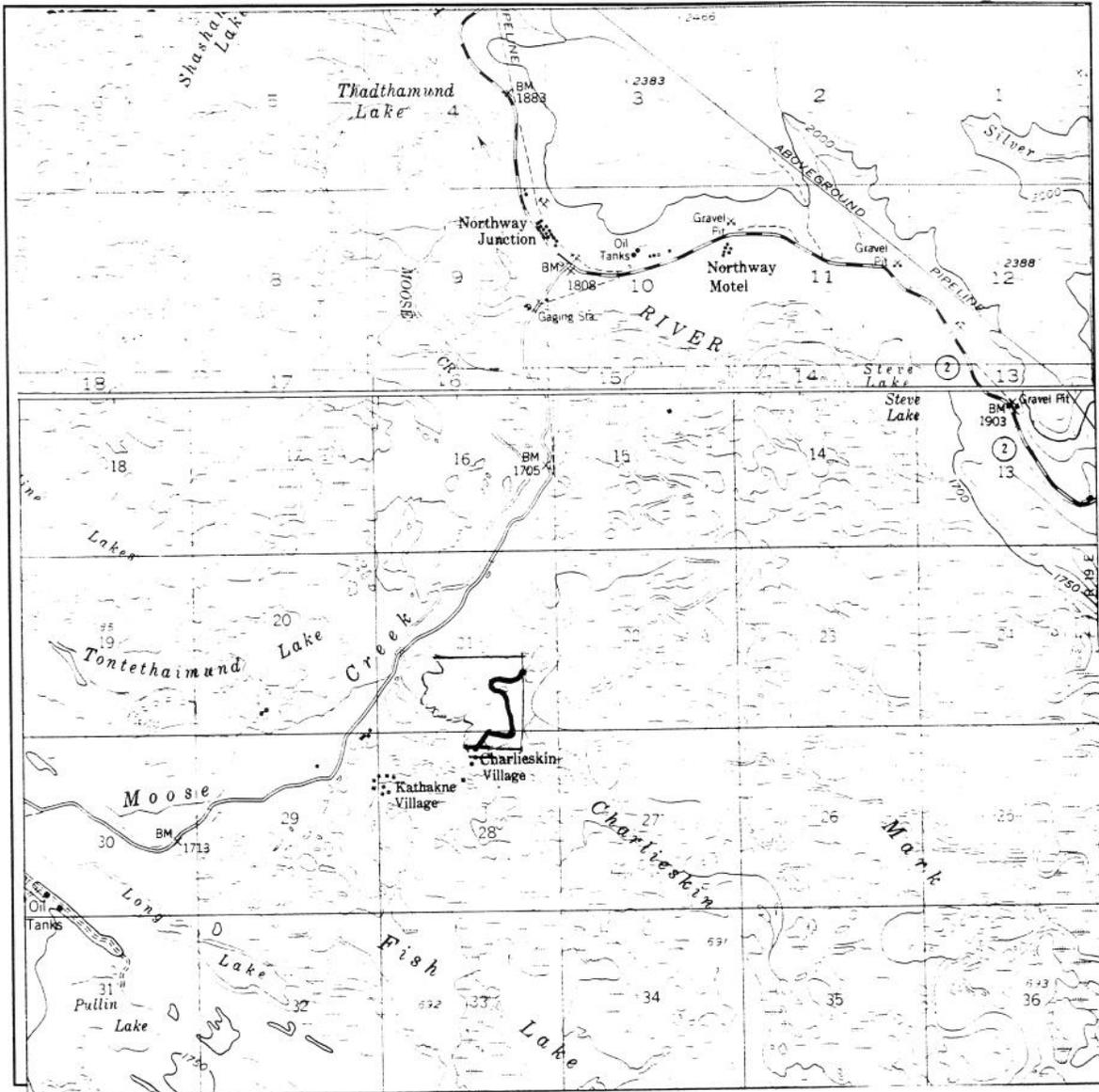
T. 11 N., R. 23 E.

None.

UNITED STATES  
 DEPARTMENT OF THE INTERIOR  
 BUREAU OF LAND MANAGEMENT

NAVIGABILITY MAP (PPP WINDOW 1212, Northway)

T. 14 N., R. 19 E., CRM



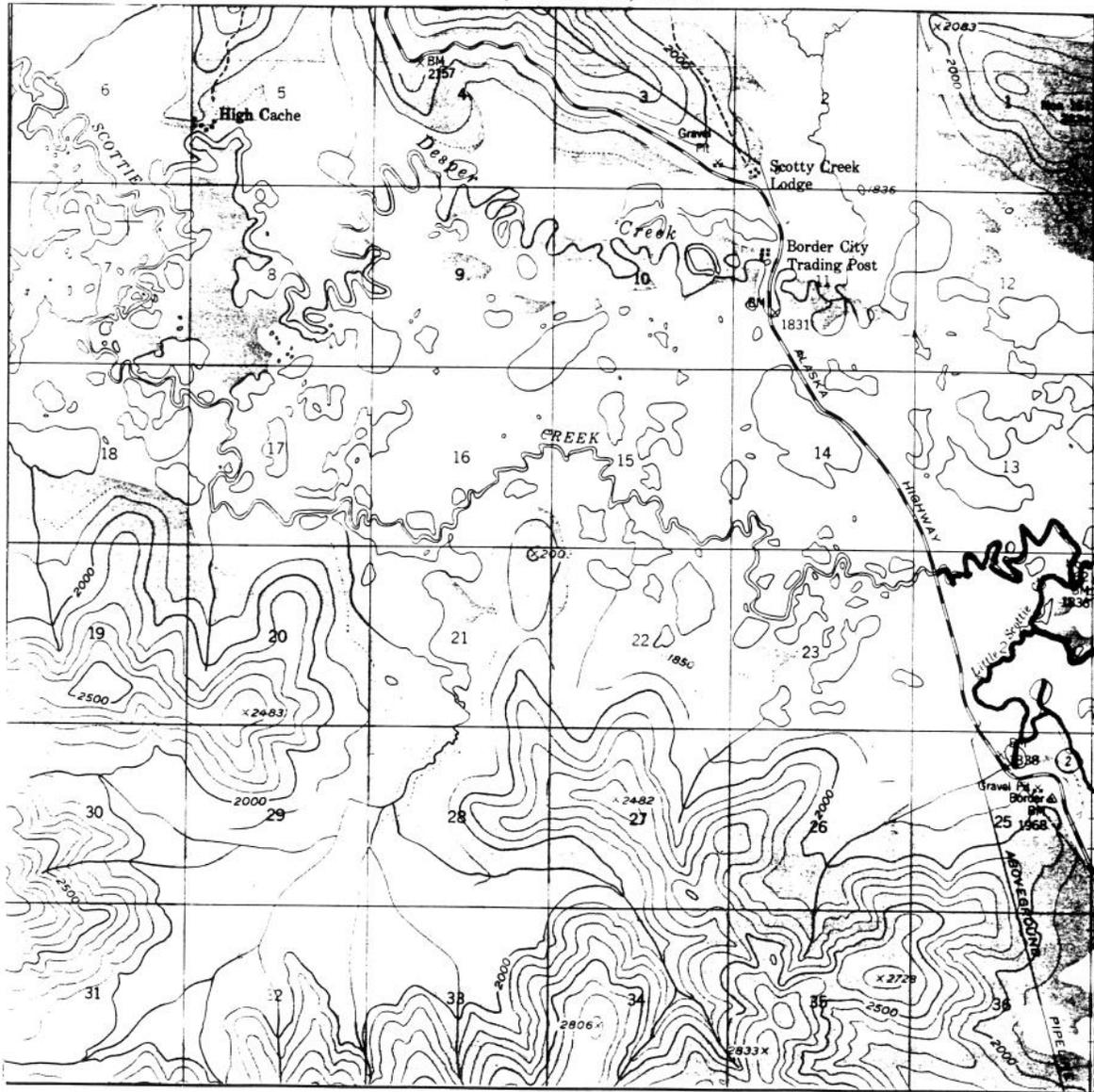
SCALE: 1" = 1 Mile

USGS MAPS	AERIAL PHOTOS	STATUS
Nabesna D-2 Tanacross A-2	CIR 60, roll 21, frame 410, July 1978	Native allotment F-024675

UNITED STATES  
 DEPARTMENT OF THE INTERIOR  
 BUREAU OF LAND MANAGEMENT

NAVIGABILITY MAP (PPP WINDOW 1212, Northway)

T. 10 N., R. 23 E., CRM



SCALE: 1" = 1 Mile

USGS MAPS	AERIAL PHOTOS	STATUS
Nabesna C-1	CIR 60, roll 21, frame 410, July 1978	State Selection F-88517