



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Natural Resources
OFFICE OF PROJECT MANAGEMENT AND PERMITTING

550 West 7th Avenue, Suite 1430
Anchorage, AK 99501-3561
Main: 907.269-8690

May 28, 2026

William Hedman
Authorized Officer, BLM Eastern Interior Field Office
Attn: Fortymile WSR LTC EA
222 University Avenue
Fairbanks, AK 99709-3816

Submitted online at eplanning.blm.gov

Re: Scoping Preliminary Proposed Action and Alternatives for the Fortymile Wild and Scenic River Long-Term Camping program (Docket DOI-BLM-AK-F020-2026-0007-EA)

Dear Mr. Hedman,

The State of Alaska (State) reviewed the Scoping Preliminary Proposed Action and Alternatives for the Fortymile Wild and Scenic River (FWSR) Long-Term Camping (LTC) Environmental Assessment (EA). The EA will evaluate a Proposed Action and alternatives for updating the LTC program within portions of the FWSR corridor near Chicken, Alaska. Several river segments have recent management changes extending State-managed submerged lands within the FWSR corridor. The Bureau of Land Management (BLM) manages the LTC program for State-permitted suction dredge miners operating on State-managed submerged lands below the ordinary high water-water mark (OHWM) at approved sites along the FWSR. The project aims to update existing LTC sites and permits for compliance with the 2016 *Eastern Interior, Fortymile Resource Management Plan* (2016 RMP) and to expand its LTC program to include areas where there are State-managed submerged lands but no authorized LTC sites nearby to provide miners safe locations for storing equipment and supplies. The project will identify suitable LTC locations and incorporate requirements that reflect current land management status, support public and mining safety, protect wild and scenic river values, and ensure consistency with the 2016 2016 RMP.

LTC sites on BLM-managed uplands provide safe locations for storing equipment and supplies from high-water events, including moving petroleum products away from the river, thereby helping protect and enhance FWSR values. The LTC permits also allow miners to camp at one location for longer than the 10-day camping limit on BLM lands in the FWSR corridor. Under the Proposed Action, LTC permits would continue to be issued or renewed for eligible miners with State mining claims, potentially including along new sections of the FWSR. New and renewed LTC permits would incorporate updated design features to comply with the 2016 RMP.

The State comments below incorporate input from the Departments of Natural Resources (DNR) and Fish and Game (ADF&G).

The State supports the Proposed Action alternative, authorizing additional and needed LTC sites to support State-permitted suction dredge activities. Miners will typically only travel a short distance between their camps and dredging sites. Without LTC near claims, miners are likely to camp below the ordinary high-water mark (OHWM) – potentially negatively impacting water quality with either fuel or greywater spills, etc. The State shares BLM concerns about the introduction of invasive species into waterways from river access points and appreciates that the scoping document indicates design features will be updated regarding both hazardous materials and invasive species prevention requirements. Finally, the State emphasizes that the EA must acknowledge that anadromous Chinook and chum salmon are known to spawn in the Fortymile River system, which underscores the benefits of permitting camps and fuel storage being elevated on the upland areas.

LTC in Wild Sections of the FWSR

The scoping notice indicates that LTC are not currently considered in the Wild sections of the FWSR. We request, the final decision allow campsites in Wild sections of river as needed (to include the Wild Mosquito Fork, Lower North Fork, and Dennison Fork sections), not just in the Recreational and Scenic River sections. This should help ease long standing local concerns (referenced in the public meeting notes to the State’s Fortymile Travel Management Plan Scoping Report)¹, better safeguard habitat, and is in accord with the 2016 RMP Record of Decision (ROD), item Lands-18.

Lands-18: Long-term camping in the Fortymile WSR Corridor would be authorized by permit. Allow long-term camping in support of nearby state mining claims in the “wild,” “scenic,” and “recreational” segments of the Fortymile WSR. (ROD, page 62)

Page-Specific Comments

Page 4, Figure 1 – Please label Middle Fork on the map.

Page 5, Table 2 – Please make the following corrections to Table 2:

Row 1 – Middle Fork segment: The State of Alaska does have a current claim on the Middle Fork, from Joseph Village downstream to the confluence with the North Fork of the Fortymile River. See attached Quiet Title Action (QTA) Disclaimer Confirmation Order and disclaimers 20251231, 20251229DKT115, and 20220706DKT48. Please change the status of “Current State Claims (May 2026) for the Middle Fork segment to “Yes”. (3 documents)

Row 2 – Mosquito Fork segment: The “current state claims” for the Mosquito Fork need to be clarified in the table. The State holds title on the Mosquito Fork from its confluence with Dennison Fork upstream to Wolf Creek. Wolf Creek is beyond (upstream) the boundary of the Fortymile Wild and Scenic River corridor. See attached QTA Disclaimer Confirmation Order and disclaimers DKT-84 and DKT 80 (4 documents)

¹ [FortymileTMPScopingReportAppendices.pdf](#), accessed 5/28/2026

Row 3 – upper North Fork segment: The State of Alaska does have a current claim on the upper segment of the North Fork, from the confluence of Slate and Independence Creeks downstream to the confluence with the Middle Fork. See attached QTA disclaimers 20251231, 20251229DKT115, and 20220706DKT48. Please change the status of “Current State Claims (May 2026)” for the upper North Fork segment to “Yes”.

Row 7 – Dennison Fork (West Fork) segment: The State of Alaska does have a current claim on the entirety of segment of the Dennison Fork (West Fork) within the boundary of the Fortymile Wild and Scenic River Corridor. See attached Recordable Disclaimer of Interest application (in-process) and BLM navigability determination at the Recordable Disclaimer of Interest homepage: <https://dnr.alaska.gov/mlw/paad/nav/rdi/#inprocess>. Please change the status of “Current State Claims (May 2026)” for the Dennison Fork (West Fork) to “Yes”.

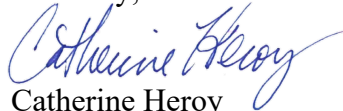
Closing

Thank you for the opportunity to review and comment on this proposed project. The Fortymile Subunit contains a fragmented land ownership pattern with many placer miners operating on State submerged lands, with access routes and potential camping locations located on nearby BLM lands. By establishing designated campsites on nearby BLM lands for miners working on adjacent state lands, both agencies uphold the intent of ANILCA to support traditional activities and ensure continued access to public lands. Concentrating overnight use in hardened, managed locations prevents the proliferation of informal campsites, thereby protecting vegetation, soils, riparian zones, and wildlife habitat. This coordinated, cross-agency approach not only safeguards environmental quality but also honors rural and customary use patterns—meeting ANILCA’s policy objectives to “cause the least adverse impact possible” on those engaging in traditional pursuits.

During the DNR Fortymile Travel Management Planning effort, BLM and Doyon indicated an interest in joint planning to address LTC². As the BLM refines its LTC program, we encourage a collaborative approach, including compliance and enforcement. Developing a clear, consistent process for permitting designated camping locations -- with predictable design standards -- will streamline compliance, reduce administrative uncertainty, and help build stronger cross-agency relationships with the mining community

Please contact me at (907)269-0880 or by email at catherine.heroy@alaska.gov to coordinate any follow up discussions.

Sincerely,



Catherine Heroy
Federal Program Manager

² Ibid, page 10.

Attachments:

1. State of Alaska v. United States of America. United States' Quiet Title Act (28 U.S.C. § 2409a(e)) Disclaimer. (Case 3:18-cv-00265-HRH Document 48 Filed 07/06/22)
2. State of Alaska v. United States of America; Chicken Ventures, LLC, an Alaska limited liability company; George W. Seuffert, Sr.; George W. Seuffert, Jr. United States' Quiet Title Act (28 USC 2409a(e)) Disclaimer (Case 3:12-cv-00114-SLG Document 80 Filed 07/27/15).
3. State of Alaska v. United States of America. Order Confirming Quiet Title Act Disclaimer and Vacating Trial. (Case 3:18-cv-00265-SLG Document 117 Filed 12/31/25)
4. State of Alaska v. United States of America; Chicken Ventures, LLC, an Alaska limited liability company; George W. Seuffert, Sr.; George W. Seuffert, Jr. Order and Decree Confirming Quiet Title Act (28 U.S.C. § 2409a(e)) Disclaimer. (Case 3:12-cv-00114-SLG Document 84 Filed 07/28/15)
5. State of Alaska v. United States of America. Quiet Title Act (28 U.S.C. § 2409a(e)) Disclaimer. (Civil Action No. 3:18-cv-00265-SLG Document 115 Filed 12/29/25)
6. Docket 80 Mosquito Fork of the Fortymile River, River Mile 0 to River Mile 140 – map Attachment A.
7. Docket 80 Mosquito Fork of the Fortymile River, WSR Portion to Wolf Creek – map Attachment B.

TODD KIM
Assistant Attorney General
United States Department of Justice
Environment and Natural Resources Division

THOMAS W. PORTS, JR.
SHANNON BOYLAN
150 M Street, N.E.
Washington, D.C. 20002
Tel: (202) 305-0503
Fax: (202) 305-0506
Email: thomas.ports.jr@usdoj.gov
shannon.boylan@usdoj.gov

Counsel for the United States of America

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

STATE OF ALASKA,
Plaintiff,

v.

UNITES STATES OF AMERICA,
Defendant.

Civil Action No.: 3:18-cv-00265-HRH

**UNITED STATES' QUIET TITLE
ACT (28 U.S.C. § 2409a(e))
DISCLAIMER**

Pursuant to 28 U.S.C. § 2409a(e), the United States of America disclaims all interest adverse to the Plaintiff, State of Alaska, in the submerged lands and bed of the Middle Fork of the Fortymile River, “up to and including the ordinary high water lines of the left and right banks of the Middle Fork of the Fortymile River within the following townships: T. 6 S., R. 23 E. Fairbanks Meridian; T. 6 S., R. 24 E., Fairbanks Meridian; T. 6 S., R. 25 E., Fairbanks Meridian; T. 5 S., R. 25 E., Fairbanks Meridian; T. 5 S., R. 26 E., Fairbanks Meridian; T. 5 S., R. 27 E., Fairbanks Meridian; T. 5 S., R. 28 E., Fairbanks

Meridian.” *See* ECF No. 1 ¶ 14 (describing the “disputed portion of the Middle Fork” in the State of Alaska’s Complaint).

Also Pursuant to 28 U.S.C. § 2409a(e), the United States of America disclaims all interest adverse to the Plaintiff, State of Alaska, in the submerged lands and bed of the North Fork of the Forty mile River, “up to and including the ordinary high water lines of the left and right banks of the North Fork of the Fortymile River” beginning at and running downstream from a point in section 21, T. 4 S., R. 28 E., Fairbanks Meridian, Alaska where braided channels of the North Fork come together to form a single channel—0.3 rivermiles downstream of the south bank of Champion Creek where that bank meets the North Fork, at approximately river mile 42.4 as calculated with mile zero at approximate coordinates 64.242358°N, 141.753811°W and mile 42.4 at approximate coordinates 64.550074°N, 142.126480°W—and continuing downstream through T. 4 S., R. 28 E., Fairbanks Meridian; T. 5 S., R. 28 E., Fairbanks Meridian; T. 5 S., R. 29 E., Fairbanks Meridian; into T. 6 S., R. 29 E., Fairbanks Meridian “to the dead end slough, which is a remnant of the Kink in section 20, township 6 south, range 29 east, Fairbanks Meridian, Alaska.” *See* ECF No. 1 ¶ 15 (describing the “disputed portion of the North Fork” in the State of Alaska’s Complaint).

Dated: July 6, 2022.

TODD KIM
Assistant Attorney General
United States Department of Justice
Environment and Natural Resources Division

/s/ Thomas W. Ports, Jr.
Thomas W. Ports, Jr.

Shannon Boylan
150 M Street, N.E.
Washington, DC 20004
Telephone: (202) 305-0503
Fax: (202) 305-0506
Email: thomas.ports.jr@usdoj.gov
shannon.boylan@usdoj.gov

Counsel for the United States of America

Certificate of Service

I certify that on **July 6, 2022** I filed the foregoing, **United States' Quiet Title Act (28 U.S.C. § 2409a(e)) Disclaimer** via the court's CM/ECF system, which electronically served all parties.

/s/ Thomas W. Ports, Jr.
Thomas W. Ports, Jr.

DEAN K. DUNSMORE
U.S. Department of Justice
Environment & Natural Resources Division
C/O Office of U.S. Attorney
222 W 7th Avenue #9 – Rm 253
Anchorage, Alaska 99513-7567

WILLIAM E. GERARD
U.S. Department of Justice
Environment & Natural Resources Division
P.O. Box 7611
Washington, DC 20044-7611

RACHEL K. ROBERTS
U.S. Department of Justice
Environment & Natural Resources Division
7600 Sand Point Way NE
Seattle, WA 98115

TERRY M. PETRIE
U.S. Department of Justice
Environment & Natural Resources Division
999 18th Street
South Terrace, Suite 370
Denver, CO 80202

Attorneys for United States

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

STATE OF ALASKA)	
)	
Plaintiff,)	CASE NO. 3:12-cv-00114-SLG
)	
UNITED STATES OF AMERICA;)	UNITED STATES'
CHICKEN VENTURES, LLC, an)	QUIET TITLE ACT (28 U.S.C. 2409a(e))
Alaska limited liability company;)	DISCLAIMER
GEORGE W. SEUFFERT,)	
SR.; GEORGE W. SEUFFERT, JR.,)	
)	
<u>Defendants.</u>)	

COMES NOW the United States of America, through undersigned counsel, and, pursuant to 28 U.S.C. § 2409a(e), disclaims all interest adverse to the Plaintiff, State of Alaska, in submerged lands along the disputed reach of the Mosquito Fork of the Fortymile River identified in paragraph 19 of Plaintiff's complaint in this action filed June 1, 2012 (ECF No. 1), and described therein as:

the submerged lands and bed up to and including the ordinary high water lines of the right and left banks of the Mosquito Fork from its confluence with Dennison Fork within Sec. 8, T. 26 N., R. 18 E., Copper River Meridian, upstream to just above its confluence with Wolf Creek within Sec. 24, T. 24 N., R. 12 E., Copper River Meridian, except for those portions of the river that traverse state-owned uplands and the State's ownership of the underlying bed is undisputed. The included portions of the Mosquito Fork (hereinafter referred to as the "designated portion of the Mosquito Fork") include approximately river miles 0 through 38, 39 through 44, and 53.5 through 80.5. The excluded portions of the Mosquito Fork include the point at which the river exits the National Wild and Scenic River System at approximately river mile 38 in Sec. 19, T. 26 N., R. 15 E., Copper River Meridian upstream to the point at which the river enters Sec. 25, T. 26 N., R. 14 E., Copper River Meridian at approximately river mile 39, and the section of the river that starts in Sec. 2, T. 25 N., R. 14 E., Copper River Meridian at approximately river mile 44 through 53.5 and ending at approximately river mile 53.5 in Sec. 12, T. 25 N., R. 13. (*See* Map 1 highlighting the entire river enclosed as Exhibit 2 of Plaintiff's complaint, Attachment A hereto, and Map 5 highlighting the excluded portion of the river enclosed as Exhibit 3 of Plaintiff's complaint, Attachment B hereto.)

Respectfully submitted, this 27th day of July 2015.

JOHN C. CRUDEN
Assistant Attorney General
Environment and Natural Resources Division

/s/ William E. Gerard
WILLIAM E. GERARD
U.S. Department of Justice
Environment & Natural Resources Division
P.O. Box 7611
Washington, DC 20044-7611
Telephone: (202) 305-0475
Facsimile: (202) 305-0506
Email: william.gerard@usdoj.gov

DEAN K. DUNSMORE

U.S. Department of Justice
Environment & Natural Resources Division
C/O Office of U.S. Attorney
222 W 7th Ave, #9, Rm 253
Anchorage, Alaska 99513-7567
Telephone: (907) 271-5071
Facsimile: (907) 271-1505
Email: dean.dunsmore@usdoj.gov

RACHEL K. ROBERTS
U.S. Department of Justice
Environment & Natural Resources Division
7600 Sand Point Way NE
Seattle, WA 98115
Telephone: (206) 526-6881
Facsimile: (206) 526-6665
Email: rachel.roberts@usdoj.gov

TERRY M. PETRIE
U.S. Department of Justice
Environment & Natural Resources Division
999 18th Street
South Terrace, Suite 370
Denver, CO 80202
Telephone: (303) 844-1369
Facsimile: (303) 844-1350
Email: terry.petrie@usdoj.gov

Attorneys for United States

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27th day of July 2015 a copy of the foregoing document was served electronically by means of the Court's ECF system on the following:

Jessica Moats Alloway

Michael S. Schechter

Stanley T Lewis

/s/ William E. Gerard
WILLIAM E. GERARD

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

STATE OF ALASKA,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

Case No. 3:18-cv-00265-SLG

**ORDER CONFIRMING QUIET TITLE ACT DISCLAIMER AND VACATING
TRIAL**

Before the Court at Docket 116 is the United States of America's Consent Motion for Confirmation of Quiet Title Act Disclaimer and Motion to Vacate Trial. In accordance with 28 U.S.C. § 2409a(e), two Quiet Title Act disclaimers have been filed with this Court by the United States of America, whereby the United States of America has disclaimed any interest adverse to the claims of Plaintiff, State of Alaska, to submerged lands along the disputed reach of the Middle and North Forks of the Fortymile River, as more fully described in said Quiet Title Act disclaimers.¹

It is hereby ORDERED that the said disclaimers by the United States of America are CONFIRMED.

¹ Docket 48; Docket 115.

It is further ORDERED that the March 23, 2026, trial and related filing deadlines are VACATED.

The Clerk of Court shall enter a final judgment accordingly and close this case.

DATED this 31st day of December, 2025, at Anchorage, Alaska.

/s/ Sharon L. Gleason
UNITED STATES DISTRICT JUDGE

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

STATE OF ALASKA)	
)	
Plaintiff,)	CASE NO. 3:12-cv-00114-SLG
)	
UNITED STATES OF AMERICA;)	ORDER AND DECREE
CHICKEN VENTURES, LLC, an)	CONFIRMING QUIET TITLE ACT
Alaska limited liability company;)	(28 U.S.C. § 2409a(e)) DISCLAIMER
GEORGE W. SEUFFERT,)	
SR.; GEORGE W. SEUFFERT, JR.,)	
)	
_____ Defendants.)	

In accordance with 28 U.S.C. § 2409a(e), a Quiet Title Act Disclaimer (ECF No. 80), has been filed with this Court by the United States of America, whereby the United States of America has disclaimed any interest adverse to the claims of Plaintiff, State of Alaska, to submerged lands along the disputed reach of the Mosquito Fork of the Fortymile River identified in paragraph 19 of Plaintiff's complaint in this action filed June 1, 2012, as more fully described in said Quiet Title Act Disclaimer.

It is hereby ORDERED that the said disclaimer by the United States of America is CONFIRMED.

Dated this 28th day of July, 2015 at Anchorage, Alaska.

/s/ Sharon L. Gleason
UNITED STATES DISTRICT JUDGE

ADAM R.F. GUSTAFSON
Principal Deputy Assistant Attorney General
United States Department of Justice
Environment and Natural Resources Division

DUSTIN J. WEISMAN
MICHAEL K. ROBERTSON
150 M Street, N.E.
Washington, DC 20004
Telephone: (202) 305-9609
Fax: (202) 305-0506
Email: dustin.weisman@usdoj.gov
Email: michael.robertson@usdoj.gov

Counsel for the United States of America

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

STATE OF ALASKA,
Plaintiff,

v.

UNITED STATES OF AMERICA,
Defendant.

Civil Action No.: 3:18-cv-00265-SLG

**UNITED STATES' QUIET TITLE
ACT (28 U.S.C. § 2409a(e))
DISCLAIMER**

Pursuant to 28 U.S.C. § 2409a(e), the United States of America disclaims all interest adverse to the Plaintiff, State of Alaska, in the submerged lands and bed of the North Fork of the Fortymile River, “up to and including the ordinary high water lines of the left and right banks of the North Fork of the Fortymile River,” starting at “approximately river mile 59.3” at the confluence of Slate Creek and Independence Creek in T. 3 S., R. 27 E., Fairbanks Meridian and continuing downstream through T. 3 S., R. 28 E., Fairbanks Meridian into T. 4 S., R. 28 E., Fairbanks Meridian and ending at

a point in section 21, T. 4 S., R. 28 E., Fairbanks Meridian, Alaska where braided channels of the North Fork come together to form a single channel—0.3 rivermiles downstream of the south bank of Champion Creek where that bank meets the North Fork, at approximately river mile 42.4 as calculated with mile zero at approximate coordinates 64.242358°N, 141.753811°W and mile 42.4 at approximate coordinates 64.550074°N, 142.126480°W. *See* ECF No. 1 ¶ 15 (describing the “disputed portion of the North Fork” in the State of Alaska’s Complaint). This disclaimer ends at the point where the United States’ July 6, 2022, disclaimer begins, *See* ECF No. 48, at 2.

Dated: December 29, 2025.

ADAM R.F. GUSTAFSON
Principal Deputy Assistant Attorney General
United States Department of Justice
Environment and Natural Resources Division

/s/ Dustin J. Weisman

Dustin J. Weisman

Michael K. Robertson

150 M Street, N.E.

Washington, DC 20004

Telephone: (202) 305-9609

Fax: (202) 305-0506

Email: dustin.weisman@usdoj.gov

Email: michael.robertson@usdoj.gov

Counsel for the United States of America

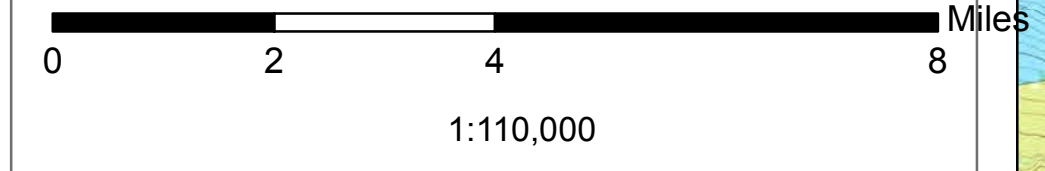
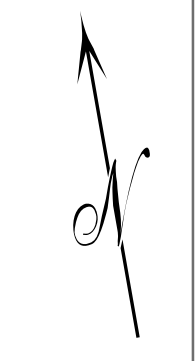
Certificate of Service

I certify that on December 29, 2025 I filed the foregoing, United States' Quiet Title Act (28 U.S.C. § 2409a(e)) Disclaimer via the court's CM/ECF system, which electronically served all parties.

/s/ Dustin J. Weisman

Dustin J. Weisman

Map 1 Mosquito Fork of the Fortymile River River Mile 0 to River Mile 140



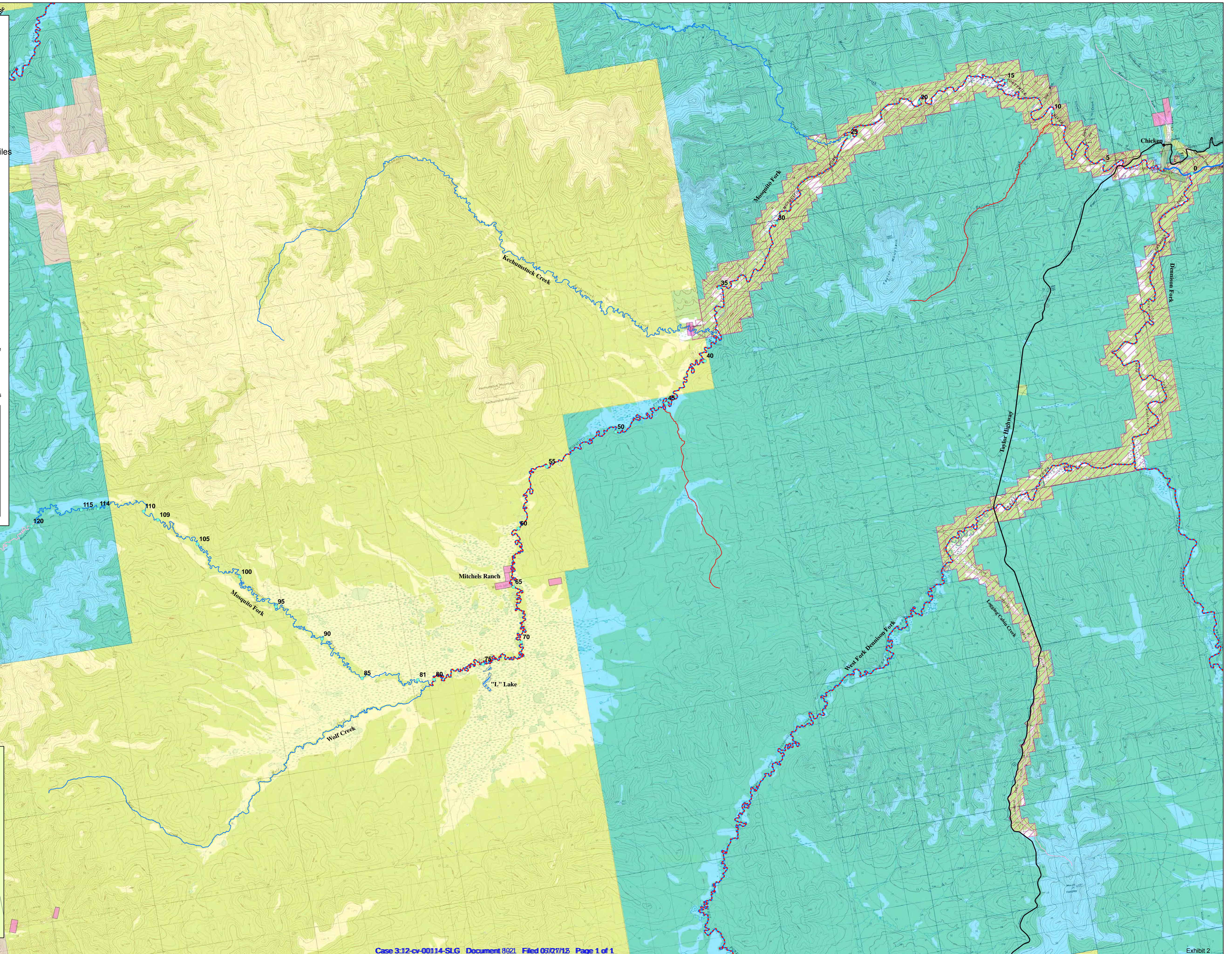
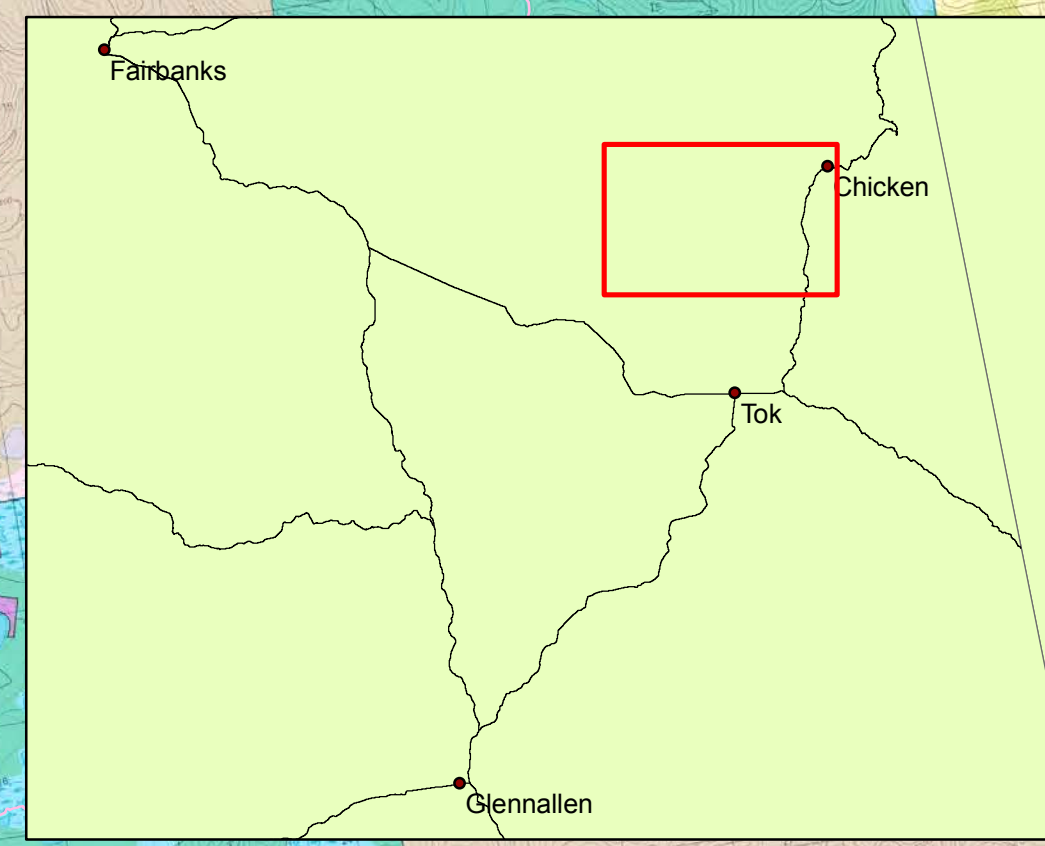
Projection: Albers Equal Area
Datum: NAD83
Data: USGS National Hydrography Dataset 2007
ADNR Land Ownership 2012
Map Printed: May 15, 2012
Produced By: Wendy Steinberger, NRS II

Land Ownership

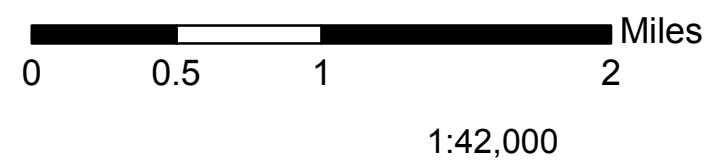
Land status	Navigability Status
Bureau of Land Management	Navigable
Native Corporation	Non-Navigable
State Land	Conflict
Fortymile W & S River Corridore	Potentially Non-Navigable
Native Allotment	Potentially Navigable
Mineral Surveys	Unknown
Federal Mining Claims	Mosquito Fork River Miles

This map is based on the most recent data available; however the actual and/or historical location of the waters involved may differ from that shown on this map due to the changes in the waters overtime. Land Status describes ownership types within a section. Please note that Land Status may not cover entire section; please refer to Master Title Plat for precise land ownership.

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Map 5 Mosquito Fork of the Fortymile River WSR Portion to Wolf Creek



Projection: Albers Equal Area
 Datum: NAD83
 Data: USGS National Hydrography Dataset 2007
 ADNR Land Ownership 2012
 Map Printed: May 15, 2012
 Produced By: Wendy Steinberger, NRS II

Land Ownership

- Bureau of Land Management
- State Land
- Fortymile W & S River Corridore
- Native Allotment

Navigability Status

- Navigable
- Non-Navigable
- Conflict
- Potentially Non-Navigable
- Potentially Navigable
- Unknown
- Mosquito Fork River Miles

This map is based on the most recent data available; however the actual and/or historical location of the waters involved may differ from that shown on this map due to the changes in the waters overtime. Land Status describes ownership types within a section. Please note that Land Status may not cover entire section; please refer to Master Title Plat for precise land ownership.

The State of Alaska makes no expressed or implied warranties (including warranties of merchantability and fitness) with respect to the character, function, or capabilities of this product or its appropriateness for any user's purposes. In no event will the State of Alaska be liable for any incidental, indirect, special, consequential or other damages suffered by the user or any other person or entity whether from use of the product, any failure thereof or otherwise, and in no event will be State of Alaska's liability to you or any one else exceed the fee paid for the product.

