

Appendix D

Easements and Rights of Way within Tetlin National Wildlife Refuge

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Easements Reserved Pursuant to Section 17(b) of the Alaska Native Claims Settlement Act

When the Federal government conveyed lands to Native corporations, they reserved specific easements to ensure access to public lands and waters. Section 17(b) of the Alaska Native Claims Settlement Act (ANCSA) authorizes the Secretary of the Interior to reserve public easements on lands conveyed to Native corporations to guarantee access to public lands or waters. These easements include linear easements across Native lands and site easements. Easements are listed by easement identification number (EIN). Figure D-1 displays these easements.

NORTHWAY NATIVES, INC.

Sites

- EIN 19 C5 M 1 acre site on the right bank of the Chisana River and immediately east of the bridge over the Chisana River in Sec. 9, T14N R19E, Copper River Meridian. USGS map Tanacross A-2. IC 664.
- EIN 55a C5 D1 1 acre site on the right bank of the Tanana River in Sec. 24, T16N R17E, Copper River Meridian. USGS map Tanacross A-3. IC 1044.
- EIN 103 I VORTAC site in T14N R18E, Sec. 36

Roads

- EIN 39 C3 C5 D1 60-foot wide road from the Alaska Highway to Deadman Lake Campground in Section 24, T13N R20E, Copper River Meridian. USGS map Nabesna D-2. IC 364.
- EIN 46 I 60-foot wide road from the Northway Village road southerly to FAA navigational facilities in Section 36, T14N R18E, Copper River Meridian. USGS map Nabesna D-2. IC 964. *This easement is reserved for government use only.*
- EIN 55 C5 D1 50-foot wide road from Alaska Highway southerly to Site 55a C5 D1 on the right bank of the Tanana River. Sections 13, 14, and 24, T16N R17E, Copper River Meridian. USGS map Tanacross A-3. IC 489 and IC 1044.
- EIN 104 C4 60-foot wide road from the Northway village road northeasterly to FAA facilities in Section 26, T14N R18E, Copper River Meridian. USGS map Nabesna D-2. IC 1227.

Trail

- EIN 27 C3 C5 D9 A 50-foot wide trail from the south boundary of USS 2630, Lot 1 southerly to public land in Section 2, T13N R18E, Copper River Meridian. USGS map Nabesna D-2. IC 964 and IC 1377.
- EIN 52 C4 C5 E A 50-foot wide trail from the north boundary of Section 5, T12N R18E, Copper River Meridian westerly to the east boundary of Section 1, T12N R17E, Copper River Meridian. USGS map Nabesna D-3. I

Pending Trail (not on map)

- EIN 105 C6 D1 D9 A easement 25 feet in width for an existing and proposed access trail wide trail from the Alaska Highway in Section 32, T17N R17E, Copper River Meridian, southwesterly to public lands.

RS-2477 Rights-of-Way

Revised Statute 2477 (a section of the Mining Act of 1866 and codified as 43 U.S.C. 932) provided that “the right-of-way for construction of highways over public lands, not reserved for public use, is hereby granted.” Until its repeal by the Federal Land Policy and Management Act of 1976 (subject to valid existing claims), this statute authorized the development of various public access routes across unreserved public lands. Under a validated RS-2477 claim, the Federal government retains ownership of the land, but the State is granted a right-of-way for a public highway. All claims must be adjudicated, and rules for determining valid claims are still a matter of some dispute.

The State of Alaska has identified seven specific routes (see Table D-1) that it believes may be claimed as highways on Tetlin Refuge under Revised Statute 2477. In addition to these routes, the State of Alaska also claims section line easements under RS-2477. For the location of RS-2477 routes on Tetlin Refuge, see Figure D-1.

Table D-1. Mileage of State-claimed RS-2477 routes on Tetlin Refuge.

No,	Route Name	Native Conveyed	Native Selected	State Conveyed	Refuge Lands	Total Miles
321	Nabesna-Northway	13.51	0.00	0.00	30.33	43.84
374	Nabesna River-Canadian Border	0.00	0.54	0.00	25.91	26.45
1586	Scottie Creek Lodge-High Cache	0.96	0.00	0.00	0.69	1.65
1588	Northway Airport-Jatahmund Lk	1.63	0.00	0.25	30.16	32.04
1589	Paradise Hill-Cabin	0.00	0.00	0.00	0.01	0.01
1590	Gardiner Creek Trail	0.01	0.00	0.00	0.00	0.01
1591	Deadman Lake Campground Tr.	0.71	0.00	0.45	0.00	1.16
	Total	16.82	0.54	0.70	87.10	105.16

Figure D-1. 17(b) easements and proposed RS-2477 routes on Tetlin Refuge

