

Status of Federal Reserved Water Rights for Alaska Wildlife Refuges

A. Description

This document was developed as a reference guide, intended to provide a general overview of Federal Reserved Water Rights (FRWR) status on each of the National Wildlife Refuges in Alaska. The major executive, legislative and judicial actions establishing and modifying the boundaries and purposes of each refuge were reviewed, and are documented below.

The FRWR status is associated with the lands and their established dates. If lands were added over time, the FRWR for each parcel/boundary associated is equivalent to the date of the affecting land status decision.

B. Alaska Peninsula NWR (Updated 12/06/2011)

Key Land Status Decisions

1. **Withdrawal of lands included in the Alaska Peninsula NWR (11/16/1978)**

The lands subsequently incorporated in the Alaska Peninsula NWR were withdrawn by PLO 5653 on 11/16/1978.

2. **Establishment of the Alaska Peninsula NWR (12/02/1980)**

The Alaska Peninsula NWR was established by ANILCA on 12/02/1980. Since the refuge was established after statehood.

C. Arctic NWR (Updated 04/26/2016)

Key Land Status Decisions

1. **Establishment of the Arctic National Wildlife Range (12/06/1960)**

The Arctic National Wildlife Range was established by PLO 2214 on 12/06/1960.

2. **Rededication as the Arctic NWR (12/02/1980)**

On 12/02/1980 ANILCA expanded and rededicated the existing Arctic National Wildlife Range as the Arctic NWR.

D. Becharof NWR (Updated 12/06/2011)

Key Land Status Decisions

1. **Withdrawal of land included in the Becharof NWR (11/16/1978)**

The lands subsequently incorporated into the Becharof NWR were withdrawn by PLO 5653 (as amended by PLO 5654) on 11/16/1978.

2. **Establishment of the Becharof National Monument (12/01/1978)**

The Becharof National Monument was established by Presidential Proclamation 4613 on 12/01/1978. The boundary description for the monument map matched the boundaries described in PLO 5654.

3. **Rededication as the Becharof NWR (12/02/1980)**

On 12/02/1980 ANILCA established the Becharof NWR. The language establishing the Becharof NWR refuge did not refer to the prior designation of the area as the Becharof National Monument, but instead referenced the map entitled 'Becharof National Wildlife Refuge', dated July 1980. There are minor differences between the boundaries established for the monument and the final refuge boundaries.

E. Innoko NWR (ANILCA) (Updated 01/26/2012)

Key Land Status Decisions

1. **Establishment of the Innoko NWR (12/02/1980)**

The Innoko NWR was established by ANILCA on 12/02/1980. Izembek NWR (Updated 12/06/2011)

F. Kanuti NWR (ANILCA) [\(Updated 12/01/2011\)](#)

Key Land Status Decisions

1. *Establishment of the Kanuti NWR (12/02/1980)*

The Kanuti NWR was established by ANILCA on 12/02/1980. Since this refuge was established after statehood, title to the submerged lands beneath navigable waters had already passed to Alaska.

G. Kenai NWR [\(Updated 12/05/2011\)](#)

Key Land Status Decisions

1. *Establishment of the Kenai National Moose Range (12/16/1941)*

The Kenai National Moose Range was established by EO 8979 in 12/16/1941. The executive order explicitly reserved all the land and water within the established reservation boundaries.

2. *Boundary Adjustment of the Kenai National Moose Range (05/22/1964)*

On 05/22/1964 the boundaries of the Kenai National Moose Range were adjusted by PLO 3400 to exclude the settled lands along the Kenai River, the coastal area between Kasilof River and Point Possession and portions of the Harding Ice Field.

3. *Expansion and Rededication as the Kenai NWR (12/02/1980)*

On 12/02/1980 ANILCA expanded and rededicated the Kenai National Moose Range as the Kenai NWR.

H. Kodiak NWR [\(04/22/2013\)](#)

Key Land Status Decisions

1. *PROC 0039 Establishing the Afognak Forest and Fish Culture Reservation (12/24/1892)*

On 12/24/1892 the President Harrison issued proclamation 0039, reserving Afognak Island, Alaska and its adjacent bays and rocks and territorial waters, including among others the Sea Lion Rocks and Sea Otter Island..." for forestry and fish culture purposes.

2. *EO 8344 Withdrawal of public land for classification Kodiak and Alaska Maritime NWR's (02/10/1940)*

Kodiak Island including all adjacent islands, rocks and pinnacles within two miles of the shore were withdrawn from settlement, location, sale, or entry for classification and in aid of legislation.

3. *EO 8857 Establishment of the Kodiak National Wildlife Refuge (08/14/1941)*

The Kodiak National Wildlife Range was established by EO 8857 in 08/14/1941. The executive order explicitly reserved all the land and water within the established reservation boundaries.

4. *ANILCA Expansion and Rededication as the Kodiak NWR (12/02/1980)*

On 12/02/1980 ANILCA added expanded and rededicated the Kodiak NWR. Approximately 50,000 acres of public land on Afognak and Ban Islands were added to the refuge.

I. Koyukuk NWR (ANILCA) [\(Updated 01/26/2012\)](#)

Key Land Status Decisions

1. *Withdrawal of land subsequently included in the Koyukuk NWR (11/16/1978)*

The lands subsequently incorporated into the Koyukuk NWR were withdrawn by PLO 5653 (as amended by PLO 5654) on 11/16/1978.

2. *Establishment of the Koyukuk NWR (12/02/1980)*

The Koyukuk NWR was established by ANILCA on 12/02/1980.

J. Nowitna NWR (ANILCA) [\(Updated 01/26/2012\)](#)

Key Land Status Decisions

1. *Withdrawal of land subsequently included in the Nowitna NWR (11/16/1978)*

The lands subsequently incorporated into the Nowitna NWR were withdrawn by PLO 5653 (as amended by PLO 5654) on 11/16/1978.

2. *Establishment of the Nowitna NWR (12/02/1980)*

The Nowitna NWR was established by ANILCA on 12/02/1980.

K. Selawik NWR (ANILCA) [\(Updated 01/26/2012\)](#)

Key Land Status Decisions

1. *Establishment of Kobuk River Reservation (Noorvik Native Reservation) EO 2089 (11/21/1914)*

2. *Withdrawal of land subsequently included in the Selawik NWR (11/16/1978)*

The lands subsequently incorporated into the Selawik NWR were withdrawn by PLO 5653 (as amended by PLO 5654) on 11/16/1978.

3. *Establishment of the Selawik NWR (12/02/1980)*

The Selawik NWR was established by ANILCA on 12/02/1980.

L. Tetlin NWR (ANILCA) [\(Updated 02/21/2012\)](#)

Key Land Status Decisions

1. *Establishment of the Tetlin NWR (12/02/1980)*

The Tetlin NWR was established by ANILCA on 12/02/1980. Key Boundary Information

M. Togiak NWR [\(Updated 12/05/2011\)](#)

Key Land Status Decisions

1. *Establishment of the Cape Newenham National Wildlife Refuge PLO 4583 (01/20/1969)*

The Cape Newenham National Wildlife Refuge was established in 01/20/1969 by PLO 4583.

2. *Withdrawal of additional lands subsequently included in the Togiak NWR (11/16/1978)*

The additional lands subsequently incorporated in the Togiak NWR were withdrawn by PLO 5653 on 11/16/1978 and PLO 5654 on 11/17/1978.

3. *Establishment of the Togiak National Wildlife Refuge*

The Togiak NWR was established by PLO 5703 on 02/11/1980.

N. Yukon Delta NWR [\(Updated 12/05/2011\)](#)

Key Land Status Decisions

1. *Establishment of the Yukon Delta Wildlife Reservation (02/27/1922)*

The Yukon Delta Wildlife Reservation was established by EO 1041 on 02/27/1909. This entire reservation was revoked by EO 3642 in 02/27/1922.

2. *Establishment of the Nunivak Island Reservation (04/15/1929)*

Nunivak Island Reservation was established by EO 5095 on 04/15/1929

3. *Expansion of the Nunivak Island Reservation (10/22/1930)*

This Nunivak Island Reservation was enlarged by EO 5470 on 10/22/1930, at which time all the lands (including all submerged lands) within the mapped extent shown in EO 5470 (approximately 10-12 miles seaward of the Nunivak Island shoreline) were explicitly reserved.

4. *Establishment of the Hazen Bay Migratory Waterfowl Refuge (12/14/1937)*

The Hazen Bay Migratory Waterfowl Refuge was established by EO 7770 in 12/14/1937. The reservation was limited to Nunivakchak and Krigegek islands.

5. *Establishment of the Kuskokwim National Wildlife Range (12/08/1960)*

The FWS initially expressed interest in a formal withdrawal for the Kuskokwim National Wildlife Range in May 1948.

6. *Establishment of the Clarence Rhode National Wildlife Range (01/23/1961)*

The existing Kuskokwim National Wildlife Range was renamed the Clarence Rhode National Wildlife Range on 01/23/1961 by PLO 2253.

7. *Expansion of the Clarence Rhode National Wildlife Refuge (01/20/1969)*

The existing Clarence Rhode National Wildlife Range was expanded in 01/20/1969 by PLO 4584, adding the Nelson Island, Kokechik River, and Yukon Units.

8. *Withdrawal of additional lands subsequently included in the Yukon Delta NWR (11/16/1978)*

The additional lands subsequently incorporated in the Yukon Delta NWR were withdrawn by PLO 5653 on 11/16/1978.

9. *Rededication as the Yukon Delta NWR (12/02/1980)*

On 12/02/1980 ANILCA expanded and rededicated the existing Clarence Rhode, Hazen Bay, and Nunivak National Wildlife Ranges as the Yukon Delta NWR.

O. Yukon Flats NWR (Updated 12/01/2011)

Key Land Status Decisions

1. *Withdrawal of lands subsequently included in the Yukon Flats National Monument (11/16/1978)*

The lands subsequently incorporated in the Yukon Flats National Monument were withdrawn by PLO 5653 on 11/16/1978.

2. *Establishment of the Yukon Flats National Monument (12/01/1978)*

The Yukon Flats National Monument was established by Presidential Proclamation 4627 on 12/01/1978.

3. *Rededication as the Yukon Flats NWR (12/02/1980)*

On 12/02/1980 ANILCA modified the boundaries and rededicated the Yukon Flats National Monument as the Yukon Flats NWR.

P. Alaska Maritime NWR (Very complicated- some FRWR equate to the date of ANILCA Dec 2, 1980)

1. *Key Land Status Decisions – Alaska Peninsula Unit – Broad general orders*

• **PL 66-234 Appropriations for Agriculture Department (05/31/1920)**

On 05/31/1920 the appropriations for the Department of Agriculture, include provisions for transferring duties between the Department of Commerce and the Department of Agriculture. Aghiyuk, Chirikof, Chowiet, Elizabeth Island, Little Koniugi, Long, Marmot, Middleton, Perl, Simeonof islands (mapped)

• **EO 3406 Lighthouse Reservations (01/13/1921)**

On 02/13/1921 President Wilson issued an executive order reserving lands for lighthouse purposes at a variety of locations across Alaska. (mapped lands administered by FWS)

• **EO 4257 Lighthouse Reservations (06/27/1925)**

On 06/27/1925 President Coolidge issued an executive order reserving lands for lighthouse purposes at a variety of locations across Alaska. (mapped lands administered by FWS)

• **PL 69-807 (44 Stat 1452) Alaska Livestock Grazing Act (03/04/1927)**

On 03/04/1927 Congress passed this act to protect and develop forage for grazing in Alaska. The Act states “the use of these lands for grazing shall be subordinated to (a) the development of their mineral resources, (b) to the protection, development, and utilization of their forests, (c) to the protection, development, and utilization of their

water resources, (d) to their use for agriculture, and the to the protection, development, and utilization of such other resources as may be of greater benefit to the public.” Chirikof Island (mapped)

- **EO 4818 Transferring Jurisdiction of Ten Islands from DOA to DOI (02/29/1928)**

On 02/29/1928 President Coolidge issued an executive order transferring jurisdiction over ten islands located along the southern coast of Alaska from the Department of Agriculture to the Department of Interior. Included were Chirikof and Little Koniuji islands. (mapped)

- **EO 5214 Reserving Certain Described Lands in AK for Naval Purposes (10/30/1929)**

On 10/30/1929 President Hoover reserved four large tracts of land for Naval purposes. (mapped)

- **WDR 1942-10-01 ANS 192 Air Navigation Site Withdrawal (10/01/1942)**

This withdrawal removed approximately 91 acres from the existing grazing lease for use by the Navy as Air Navigation Site # 192 on Chirikof Island. (mapped)

- **PLO 0103 Withdrawing Public Lands for Use of the War Department (03/27/1943)**

On 03/27/1943 PLO 0103 withdrew a large approximately 519,000 acres for military purposes. (mapped)

- **WDR 1946-11-21 Modification of ANS 192 Air-Navigation Site Withdrawals nos 192, 193, 222 (11/21/1946)**

On 11/21/1946 the reservation for ANS 192 was modified. The confidential status was released on 09/20/1940. (not mapped)

- **WDR 1951-10-01 ANS 192 Revocation of Air Navigation Site Withdrawal 192 (10/01/1951)**

On 10/01/1951 the withdrawal of ANS 192 was revoked and the lands returned to the public domain. (mapped)

- **PLO 0945 Revoking EO 5214 (03/18/1954)**

On 03/18/1954 PLO 0945 revoked the reservation of lands made by EO 5214. (mapped)

- **PLO 1001 Partially Revoking PLO 103 (09/02/1954)**

On 09/02/1954 PLO 1001 revoked a portion of PLO 0103. PLO 1001 notes that approximately 278,630 acres of the released lands are located within the withdrawal application for the Izembek NWR and these lands are not to be returned to the public domain until after the application is processed. (mapped)

- **PLO 5186 Public Interest Lands Withdrawal (03/16/1972)**

On 03/15/1972 PLO 5186 withdrew large tracts of land within Alaska pending review and classification for the public interest. Many of these lands were eventually incorporated in CSU's established by ANILCA. (mapped)

- **PL 96-487 Alaska National Interest Lands Conservation Act (12/02/1980)**

On 12/02/1980 Congress passed ANILCA reserving numerous conservation system units across Alaska. (mapped)

2. **Key Land Status Decisions – Alaska Peninsula Unit – Chirikof Island**

- **PL 69-807 Alaska Livestock Grazing Act (03/04/1927)**

On 03/04/1927 Congress passed this act to protect and develop forage for grazing in Alaska. The Act states “the use of these lands for grazing shall be subordinated to (a) the development of their mineral resources, (b) to the protection, development, and utilization of their forests, (c) to the protection, development, and utilization of their water resources, (d) to their use for agriculture, and the to the protection, development, and utilization of such other resources as may be of greater benefit to the public.” Chirikof Island (mapped)

This act authorized the Secretary of Interior to lease grazing lands in Alaska outside of the Aleutian Islands Reservation.

- **EO 4818 Alaska Islands (02/29/1928)**

On 02/29/1928 President Coolidge issued an executive order transferring jurisdiction over ten islands located along the southern coast of Alaska from the Department of Agriculture to the Department of Interior. Included were Chirikof and Little Koniuji islands. (mapped).

This order transfers 10 islands from jurisdiction of the Department of Agriculture to the Department of Interior.

- **WDR 1942-10-01 ANS 192 Air Navigation Site Withdrawal #192 (10/01/1942)**

This withdrawal removed approximately 91 acres from the existing grazing lease for use by the Navy as Air Navigation Site # 192 on Chirikof Island. (mapped)

This withdrawal removed approximately 90 acres from the existing grazing lease Anchorage 07280.

- **ANS 192 Revocation of Air-Navigation Site Withdrawal No 192 (10/08/1951)**

This order revoked the withdrawal for the air-navigation site.

- **PL 90-403 Amending the Act relating to the leasing of lands in Alaska for grazing (07/18/1968)**

This law amended the laws affecting grazing in Alaska to establish a one week notification period, modify the terms of grazing leases.

3. **Key Land Status Decisions – Alaska Peninsula Unit – Semidi Islands Subunit**

- **EO 4818 Transferring Jurisdiction of Ten Islands from DOA to DOI (02/29/1928)**

On 02/29/1928 President Coolidge issued an executive order transferring jurisdiction over ten islands located along the southern coast of Alaska from the Department of Agriculture to the Department of Interior. Included were Aghivak, Chirikof, Chowiet, Elisabeth, Little Koniuji, Long, Marmot, Middleton, Pearl and Simeonof islands. (mapped)

- **EO 5858 Establishment of the Semidi Island Wild Life Refuge (06/17/1932)**

On 06/17/1932 President Hoover issued an executive order establishing the Semidi Islands Wild Life Refuge was established by EO 5858. This refuge include Aghiyuk, Chowiet, Kateekuk, Anowik, Kiliktagik, Suklik, Aghik, Aliksemit and South islands together with all unnamed islands, rocks and reefs, and all lands under water appurtenant therto, lying between parallels 55° 57’ and 56° 15’ north latitude and meridians 156° 30’ and 157° 00’ longitude. (mapped)

- **53 Stat 1433 Reorganization Plan II (07/01/1939)**

On 07/01/1939 Reorganization Plan II established in 53 Statute 1433 transferred the functions of the Bureau of Biological Survey in the Department of Agriculture to the Department of Interior. (mapped)

- **PROC 2416 Renaming National Wildlife Refuges (07/30/1940)**

On 07/30/1940 President Roosevelt issued Proclamation 2416 renaming various National Wildlife Refuges so that the federal wildlife refuges are easily distinguished from refuges established by the States. (mapped)

- **SOL Jurisdiction over Certain Submerged Lands (Price: Regional Solicitor, Anchorage) (08/21/1972)**

On 08/21/1972 the Regional Solicitor Robert Price issued an opinion regarding jurisdiction opining that submerged lands were included in the Nunivak Refuge.

4. **Key Land Status Decisions – Alaska Peninsula Unit – Simenof Subunit**

- **EO 4818 Transferring Jurisdiction of Ten Islands from DOA to DOI (02/29/1928)**

On 02/29/1928 President Coolidge issued an executive order transferring jurisdiction over ten islands located along the southern coast of Alaska from the Department of Agriculture to the Department of Interior. Included were Aghivak, Chirikof, Chowiet, Elisabeth, Little Koniuji, Long, Marmot, Middleton, Pearl and Simeonof islands. (mapped)

- **PLO 1749 Establishment of the Simeonof National Wildlife Refuge (10/30/1958)**

The described lands and adjacent waters are withdrawn and reserved by PLO 1749 on 10/30/1958 as the Simeonof National Wildlife Refuge. The lands include all of Simeonof Island and its tidelands together with all adjacent areas of water extending one mile beyond mean low water, and including any islands within said one mile area. The submerged lands beneath the 1 mile buffer were reserved and did not pass to Alaska at statehood.

5. ***Key Land Status Decisions – Aleutian Islands Unit***

- **EO 1891-03-04 Reserving Lands Near the Town of Unalaska for a Coal Storage & Supply Depot (03/04/1891)**

- **EO 1899-01-13 Withdrawal for Lighthouses (01/13/1899)**

On 01/13/1899 President McKinley issued an executive mansion reserving land for lighthouse purposes near Dutch Harbor on Amaknak Island. (mapped)

- **EO 1901-01-04 Reservation for Lighthouse Purposes (01/04/1901)**

On 01/04/1901 President McKinley issued an executive mansion reserving lands for lighthouse purposes at a variety of locations across Alaska. (mapped lands administered by FWS)

- **EO 1901-04-02 Reservation for Public Purposes (04/02/1901)**

On 04/02/1901 President McKinley issued an executive mansion reserving all of Amaknak Island except those lands reserved for lighthouse purposes and a tract conveyed to the North American Commercial Company for public purposes. (mapped)

- **EO 1901-08-27 Scotch Cap Lighthouse Reservation Modification (08/27/1901)**

On 08/27/1901 President McKinley issued an executive mansion modifying the Scotch Cap lighthouse reservation. (mapped)

- **EO 1902-01-09 Reservation for Lighthouse Purposes (01/09/1902)**

On 01/09/1902 President Roosevelt issued an executive order establishing two sites for lighthouse purposes on Scotch Cap west on Unimak Island, and Cape Kalekhta and Priest Rock on Unalaska Island. (mapped)

- **EO 1902-06-10 Coal Reservation on Amanak Island (06/10/1902)**

On 06/10/1902 President Roosevelt issued an executive order modifying EO 01/13/1899 to remove a strip of land 600 feet deep from the lighthouse reservation and reserve it for a naval coal depot. (mapped)

- **EO 1902-06-13 Naval Reservation Bay of Waterfalls & Kyska Harbor (06/13/1902)**

On 06/13/1902 President Roosevelt issued an executive order reserving a tract on Adak Island and a tract on Kyska Island for naval purposes. (mapped)

- **EO 1903-12-09 Naval Reservation Kiska Islands (12/09/1903)**

On 12/09/1903 President Roosevelt issued an executive order reserving Kiska and Little Kiska islands and all adjacent islets and rocks for naval purposes. This order modified EO 1902-06-13. (mapped)

- **EO 1049 Establishment of the Bogoslof Reservation (03/03/1909)**

On 03/03/1909 President Roosevelt established the Bogoslof Reservation as a preserve and breeding ground for native birds. The reservation explicitly reserved Bogoslof Islands, as segregated by a mapped line. This reservation did not specifically reserve submerged lands beneath navigable marine waters surrounding the islands. (mapped)

- **EO 1456 Naval Reservation Amaknak Island (01/06/1912)**

On 01/06/1912 President Taft issued an executive order reserving a tract on Amaknak Island for use by the Navy as a wireless telegraph station. (mapped)

- **EO 1733 Establishment of the Aleutian Islands Reservation (03/03/1913)**

On 03/03/1913 President Taft issued an executive order establishing the Aleutian Islands Reservation as a preserve and breeding ground for native birds, and propagation of reindeer and furbearing animals and development of fisheries. The reservation explicitly reserved Hazy Islands, as segregated by a mapped line. This reservation did not specifically reserve submerged lands beneath navigable marine waters surrounding the islands. (mapped)

- **EO 2442 Revoking Part of Aleutian Islands Reservation to Issue Patent to Sea Products Co (08/11/1916)**

On 08/11/1916 President Wilson issued an executive order modifying the Aleutian Island Reservation, authorizing the Secretary of Interior to issue patents to Pacific Sea Products Company for 38.13 acres included within surveys 1143, 1144, & 1145. (mapped)

- **PL 66-234 Appropriations for Agriculture Department (05/31/1920)**

On 05/31/1920 the appropriations for the Department of Agriculture, include provisions for transferring duties between the Department of Commerce and the Department of Agriculture. (mapped)

- **EO 4076 Revoking Part of the Aleutian Islands Reservation for Fish Cannery (09/20/1924)**

On 09/20/1924 President Coolidge issued an executive order modifying the Aleutian Islands Reservation by revoking the reservation on a tract of land on Unimak previously occupied for fish cannery purposes. (mapped)

- **EO 4251 Revoking Part of the Aleutian Islands Reservation for Fish Cannery Purposes (06/10/1925)**

On 06/10/1925 President Coolidge issued an executive order modifying the Aleutian Islands Reservation by revoking the reservation on three tracts of land on Unimak Island previously occupied for fish cannery purposes. (mapped)

- **EO 4818 Transferring Jurisdiction of Ten Islands from DOA to DOI (02/29/1928)**

On 02/29/1928 President Coolidge issued an executive order transferring jurisdiction over ten islands located along the southern coast of Alaska from the Department of Agriculture to the Department of Interior. Included were Aghivak, Chirikof, Chowiet, Elisabeth, Little Koniuji, Long, Marmot, Middleton, Pearl and Simeonof islands. (mapped)

- **EO 5000 Revoking Part of the Aleutian Islands Reservation for Six Islands (11/23/1928)**

On 11/23/1928 President Coolidge issued an executive order modifying the Aleutian Islands Reservation by revoking the reservation on the islands of Akun, Akutan, Sanak, Tigalda, Umnak and Unalaska, including Sedanka. (mapped)

- **EO 5243 Revoking Part of the Aleutian Islands Reservation for Portion of Amaknak Island (12/19/1929)**

On 12/19/1929 President Hoover issued an executive order modifying the Aleutian Islands Reservation by revoking the reservation on Amaknak Island except for the southern portion as shown on the attached map. (mapped)

- **EO 5281 Establishing Air-Space Reservations over Certain Harbors (02/17/1930)**

On 02/17/1930 President Hoover issued an executive order reserving the air-space over certain harbors and prohibiting entry by civil aircraft. (mapped for Alaska harbors)

- **EO 5318 Enlarging the Aleutian Islands Reservation Inclusion of Amak Island & Sealion Rocks (04/07/1930)**

On 04/07/1930 President Hoover issued an executive order enlarging the Aleutian Islands Reservation by including Amak Island, the Sealion Rocks and a small unnamed island lying southeast of Amak Island. These lands were reserved as a refuge for breeding ground birds and wild animals. (mapped)

- **EO 5364 Naval Withdrawal on Unalaska (06/05/1930)**

On 06/05/1930 President Hoover issued an executive order reserving the lands on Unalaska Island located within the specific coordinates from settlement, location, sale or entry and reserved for the Navy. (mapped)

- **EO 5457 Modifying EO 1902-04-02 Lighthouses (01/10/1930)**

On 01/10/1930 President Hoover issued an executive order amending EO 5243 to revoke EO 1901/04/02, and excluding restoration of lands affected by EO 1899/01/13, EO 1902/06/10 and EO 1456. (mapped)

- **EO 6006 Reserving Certain Described Lands for Establishment of Public Water Reserve No. 147 (01/23/1933)**

On 01/23/1933 President Hoover issued an executive order withdrawing the lands in US Survey No. 1946 for use as Public Water Reserve No. 147 in Alaska. (mapped)

- **EO 6044 Withdrawal of lands to Protect Fishing Rights of Alaska Natives (02/23/1933)**

On 02/23/1933 President Hoover issued an executive order reserving the portion of Amaknak Island included within the specified boundaries to protect fishing rights for Alaska Natives. (mapped)

- **EO 7622 Withdrawing Lands near the Town of Unalaska for use of the US Indian Service Hospital (05/29/1937)**

On 06/03/1937 President Roosevelt issued an executive order revoking EO 6006, and withdrawing the tract for use by the US Indian Service Hospital in Unalaska. (mapped)

- **EO 7816 Transfer Jurisdiction of Portions of Amaknak Island to the Navy (02/15/1938)**

On 02/15/1938 President Roosevelt issued an executive order transferring jurisdiction of the lands on Amaknak Island withdrawn by EO 1733 as amended by EO 5243 and EO 6044 to the Navy, subject to use by the Department of Agriculture and Alaska natives when such uses will not interfere with naval activities. (mapped)

- **EO 7847 Naval Reservation Amaknak Island (03/21/1938)**

On 03/21/1938 President Roosevelt issued an executive order reserving two tracts of land, the first containing approximately 5.95 acres within specific coordinates located on Amaknak Island, and Expedition Island were for use of the Navy. (mapped)

- **53 Stat 1433 Reorganization Plan II (07/01/1939)**

On 07/01/1939 Reorganization Plan II established in 53 Statute 1433 transferred the functions of the Bureau of Biological Survey in the Department of Agriculture to the Department of Interior. (mapped)

- **PROC 2416 Renaming National Wildlife Refuges (07/30/1940)**

On 07/30/1940 President Roosevelt issued Proclamation 2416 renaming various national wildlife refuges so that the federal wildlife refuges are easily distinguished from refuges established by the States. (mapped 10 refuges located in Alaska)

- **EO 8573 Townsite Reservation on Unalaska Island (10/21/1940)**

On 10/21/1940 President Roosevelt issued an executive order reserving public lands for a townsite on Unalaska Island. (mapped)

- **EO 8680 Establishing Naval Defensive Sea Areas Kiska and Unalaska islands (02/14/1941)**

On 02/14/1941 President Roosevelt issued an executive order establish naval defensive sea areas and airspace reservations around Kiska and Unalaska islands. (mapped)

- **EO 8729 Correcting EO 8680, EO 8682 & EO 8633 Establishing Naval Defensive Areas (04/02/1941)**

On 04/02/1941 President Roosevelt issued an executive order correcting the language of EO 8680, EO 8682, and 8683. (mapped)

- **EO 8786 Withdrawal of Public Lands for the Use of the Navy Department for Naval Aviation Purposes (06/14/1941)**

On 06/14/1941 President Roosevelt issued an executive order withdrawing public lands for the use of the Navy Department for Naval Aviation Purposes. (mapped)

- **EO 9153-A Withdrawing Public Lands for Use of the War Department for Military Purposes (04/30/1942)**

On 10/31/1946 President Roosevelt issued an executive order reserving 3 tracts on or near Unalaska Island for military purposes. (mapped)

PLO 0103 Withdrawing Public Lands for Use of the War Department (03/27/1943)

On 03/27/1943 PLO 0103 withdrew a large approximately 519,000 acres for military purposes. (mapped)

- **PLO 0284 Amending an Executive Order and Certain Public Land Orders Withdrawing Public Lands for the Use of the War Department (06/12/1945)**

On 06/12/1945 PLO 0284 amended PLO 9153-A by establishing an expiration date set at 6 months after termination of the the national emergency declared by Proclamation 2487. (mapped)

- **PLO 0827 Partial Revocation of EO 9153-A and Reserving Lands for Military Purposes (05/16/1952)**

On 05/16/1952 PLO 0827 revoked the reservation of tract 3 of EO 9153-A and reserved a much smaller parcel for military purposes. (mapped???????)

- **DO 1954-04-12 Revoking DO 1938-01-24 (04/12/1954)**

On 04/12/194 an Interior Departmental Order partially revoked a Departmental Order of 01/24/1938 withdrawing lands for school sites. The revocation included three tracts, one on Attu Island, one at Colville and one at Kwiguk. (not mapped)

- **PLO 1001**

- **PLO 1087 Partial revoking of EO 5364 and EO 9153-A (03/08/1955)**

On 03/08/1955 PLO 1087 partially revoked the withdrawals made by EO 5364 and EO 9153-A for military purposes. (mapped)

- **PLO 1224 Revoking EO 1903-12-09 & EO 1229 & partial revocation of 1901-01-04 (09/14/1955)**

ON 09/14/1955 PLO 1224 revoked EO 1903-12-09 and EO 1229, and revoked a portion of EO 1901-01-04 relating to Unalga Island. (mapped)

- **PLO 1949 Withdrawal for the Dept of the Navy Military Purposes (08/19/1959)**

On 08/19/1959 PLO 1949 reserved four tracts of land located on Attu, Adak and Kodiak Islands for use by the Department of the Navy. (mapped)

- **PLO 2476 Partially revoking EO 1901-01-04 (09/05/1961)**
On 09/05/1961 PLO 2476 revoked lighthouse reservations established by EO 1901-01-04 for four tracts. (mapped)
- **PLO 4564 Withdrawal for Coast Guard Facility & Partial Revocation of PLO 1949 (01/16/1969)**
On 01/16/1969 PLO 4564 reserved a tract of land approximately 1800 acres as an aid to navigation facility for the US Coast Guard. This PLO also revoked the portion of PLO 1949 which reserved lands on Attu Island. (mapped)
- **PLO 5456 Revocation of EO 8786 & Partial Revocation of PLO 1087 (12/11/1974)**
On 12/11/1974 PLO 5456 revoked two tracts of land withdrawn by EO 8786 located on Amnak Island, and revoked two tracts of land (Hog Island, and a portion of Amaknak Island withdrawn by PLO 1087. (mapped)
- **DO 1954-04-12 Revoking DO 1938-01-24 (04/12/1954)**

6. Key Land Status Decisions – Bering Sea Unit – Bearing Sea

- **EO 1037 Establishment of the Bering Sea Reservation (02/27/1909)**
The Bering Sea Reservation was established by Executive Order 1037 on 02/27/1909 as a preserve and breeding ground for native birds. The reservation explicitly reserved Saint Mathew and Hall islands, and Pinnacle Islet, as segregated by a mapped line. This reservation did not specifically reserve submerged lands beneath navigable marine waters surrounding the islands.
- **PROC 2416 Renaming National Wildlife Refuges (07/30/1940)**
On 07/30/1940 President Roosevelt issued Proclamation 2416 renaming various national wildlife refuges so that the federal wildlife refuges are easily distinguished from refuges established by the States. (mapped 10 refuges located in Alaska)
- **PL 91-504 (84 Stat 1104) Designation of Wilderness Areas within National Wildlife Refuges (10/23/1970)**
Congress designated certain lands within National Wildlife Refuges in Alaska as Wilderness Areas.

7. Key Land Status Decisions – Bering Sea Unit - Pribilof Reservation

- **PL 40-22 (15 State 348) A Resolution More Efficiently to Protect the Fur Seal in Alaska (03/03/1869)**
Reserved Saint Paul and Saint George islands are reserved for government purposes.
- **PL 55-415 (30 Stat 1279) Protection of Fur Bearing Animals & Salmon (03/03/1899)**
The islands of Saint Paul and Saint George are declared a special reservation for government purposes.
- **PL 61-146 (36 Stat 326) An Act to Protect Seal Fisheries in Alaska (04/21/1910)**
Pribilof Islands, including the islands of Saint Paul and Saint George, Walrus and otter islands, and Sea Lion Rock are declared a special reservation for public purposes.
- **PL 62-334 (37 Stat 499) Enact International Convention to Protect Fur Seals (04/21/1912)**
This act established rules for the killing of seals and sea lions in northern waters including the Pribilof Islands
- **EO 1044 Establishment of the Pribilof Reservation (02/27/1909)**
The Pribilof Reservation was established by Executive Order 1044 on 02/27/1909 as a preserve and breeding ground for native birds. The reservation explicitly reserved Walrus and Otter islands, as segregated by a mapped line. This reservation did not specifically reserve submerged lands beneath navigable marine waters surrounding the islands.
- **PL 66-324 (41 Stat 716) Transfer of Specific Duties Between Secretaries of Agriculture & Commerce (05/31/1920)**
The authority for protection and management of walruses and sea lions transferred from the Secretary of Agriculture to the Secretary of Commerce. The Secretary of Commerce will retain all authority over the Pribilof Islands.
- **53 Stat 1433 Reorganization Plan II (07/01/1939)**
The Bureau of Biological Survey in the Department of Agriculture and its functions are hereby transferred to the Department of Interior.
- **54 Stat 1231 Reorganization Plan III (04/25/1940)**
This act consolidated the Bureau of Fisheries and the Bureau of Biological Survey within the Department of Interior into one agency known as the Fish and Wildlife Service.
- **PROC 2416 Renaming National Wildlife Refuges (07/30/1940)**

President Roosevelt issued Proclamation 2416 on 07/30/1940 renaming various National Wildlife Refuges so that the federal wildlife refuges are easily distinguished from refuges established by the States.

- **PL 78-237 (58 Stat 100) Enacting the Provisional Fur Seal Agreement of 1942 (02/26/1944)**

This act revised the rules for killing of seals and sea lions in northern waters, including the Pribilof Islands.

- **PL 84-1024 (70 Stat 1120) Reorganization within the Department of Interior (08/08/1956)**

This act created two agencies within the Fish & Wildlife Service, the Bureau of Commercial Fisheries and the Bureau of Sport Fisheries and Wildlife. The Bureau of Commercial Fisheries shall be responsible for commercial fisheries, whales, seals, and sea lions. The Bureau of Sport Fisheries and Wildlife shall be responsible for matters relating primarily to migratory birds, game management, wildlife refuges, sport fisheries, sea mammals (except whales, seals and sea-lions), and related matters.

- **PL 96-487 ANILCA (12/02/1980)**

Section 1417 ratifies "Pribilof Terms and conditions & authorizes \$7.5 million for acquisition of bird cliffs, including the entirety of Otter and Walrus islands.

- **PL 98-129 (97 Stat 835) Fur Seal Act Amendments of 1983 (10/14/1983)**

This act provided for the orderly termination of Federal management of the Pribilof Islands, Alaska. The Secretary was authorized to dispose of all Federal property on the Pribilof Islands as specified in the document 'Transfer of Property on the Pribilof Islands: Descriptions, Terms and Conditions' which was submitted to Congress on or before October 31, 1983.

- **PL 104-91 National Marine Fisheries Laboratory, Gloucester, Massachusetts 07/06/1996**

Required NOAA to clean up Pribilof Islands lands due to be transferred to residents of Pribilof Islands.

8. Key Land Status Decisions – Chukchi Sea Unit

- **EO 1658 Establishment of the Chamisso Island Reservation (12/07/1912)**

The Chamisso Island Reservation was established by Executive Order 1658 on 12/07/1912 as a preserve and breeding ground for native birds. The reservation explicitly reserved Hazy Islands, as segregated by a mapped line. This reservation did not specifically reserve submerged lands beneath navigable marine waters surrounding the islands.

- **53 Stat 1433 Reorganization Plan II (07/01/1939)**

The Bureau of Biological Survey in the Department of Agriculture and its functions are hereby transferred to the Department of Interior.

- **PROC 2416 Renaming National Wildlife Refuges (07/30/1940)**

President Roosevelt issued Proclamation 2416 on 07/30/1940 renaming various National Wildlife Refuges so that the federal wildlife refuges are easily distinguished from refuges established by the States.

- **PL 93-632 (88 Stat 2153) Designation of Wilderness Areas within the National Wildlife Refuge System (01/03/1975)**

Congress designated certain lands within National Wildlife Refuges as Wilderness Areas.

9. Key Land Status Decisions – Gulf of Alaska Unit

- **PROC 0039 Establishing the Afognak Forest and Fish Culture Reservation (12/24/1892)**

On 12/24/1892 President Harrison issued Proclamation 0039, reserving "Afognak Island, Alaska and its adjacent bays and rocks and territorial waters, including among others the Sea Lion Rocks and Sea Otter Island..." for forestry and fish culture purposes.

- **PROC 0491 Establishment of the Alexander Archipelago Forest Reserve (08/20/1902)**

This proclamation established the Alexander Archipelago Forest Reserve. The proclamation did not identify any specific agency with jurisdiction.

- **EO 0908 Modifying the Names of National Forests (07/02/1908)**

- **EO 1039 Establishment of the Tuxedni Reservation (02/27/1909)**

The Tuxedni Reservation was established by Executive Order 1039 on 02/27/1909 as a preserve and breeding ground for native birds. The reservation explicitly reserved Chisick and Egg (aka Duck) islands, as segregated by a

mapped line. This reservation did not specifically reserve submerged lands beneath navigable marine waters surrounding the islands.

- **EO 1040 Establishment of the St. Lazaria Reservation (02/27/1909)**

The St. Lazaria Reservation was established by Executive Order 1040 on 02/27/1909 as a preserve and breeding ground for native birds. The reservation explicitly reserved St. Lazaria Island, as segregated by a mapped line. This reservation did not specifically reserve submerged lands beneath navigable marine waters surrounding the island.

- **EO 1458 Establishment of the Forrester Island Reservation (01/11/1912)**

The Forester Island Reservation was established by Executive Order 1458 on 01/11/1912 as a preserve and breeding ground for native birds. The reservation explicitly reserved Forrester and Wolf Rocks islands, as segregated by a mapped line. This reservation did not specifically reserve submerged lands beneath navigable marine waters surrounding the islands.

- **EO 1459 Establishment of Hazy Islands Reservation (01/11/1912)**

The Hazy Island Reservation was established by Executive Order 1459 on 01/11/1912 as a preserve and breeding ground for native birds. The reservation explicitly reserved Hazy Islands, as segregated by a mapped line. This reservation did not specifically reserve submerged lands beneath navigable marine waters surrounding the islands.

- **EO 3406 Lighthouse Reservations (01/13/1921)**

On 02/13/1921 President Wilson issued an executive order 3406 reserved lands for lighthouse purposes at a variety of locations across Alaska. (mapped lands administered by FWS)

- **EO 4818 Transferring Jurisdiction of Ten Islands from DOA to DOI (02/29/1928)**

On 02/29/1928 President Coolidge issued an executive order transferring jurisdiction over ten islands located along the southern coast of Alaska from the Department of Agriculture to the Department of Interior. Included were Aghivak, Chirikof, Chowiet, [Elisabeth](#), Little Koniuji, Long, [Marmot](#), [Middleton](#), [Pearl](#) and Simeonof Islands. (mapped)

- **53 Stat 1433 Reorganization Plan II (07/01/1939)**

The Bureau of Biological Survey in the Department of Agriculture and its functions are hereby transferred to the Department of Interior, including administration of Hazy, Forrester & St. Lazaria Islands.

- **EO 8344 Withdrawal of public land for classification Kodiak and Alaska Maritime NWR's (02/10/1940)**

Kodiak Island including all adjacent islands, rocks and pinnacles within two miles of the shore were withdrawn from settlement, location, sale, or entry for classification and in aid of legislation by executive order 8344 on 02/10/1940.

- **PROC 2416 Renaming National Wildlife Refuges (07/30/1940)**

President Roosevelt issued Proclamation 2416 on 07/30/1940 renaming various National Wildlife Refuges so that the federal wildlife refuges are easily distinguished from refuges established by the States.

- **EO 8857 Establishment of the Kodiak National Wildlife Refuge (08/14/1941)**

The Kodiak National Wildlife Range was established by EO 8857 on 08/14/1941. The executive order explicitly reserved all the land and water within the established reservation boundaries. "A strip of land one mile in width along the shore line, shall be subject to settlement, location, sale, or other disposition under any of the public-land laws applicable to Alaska..."

- **PLO 0128 Establishment of an Indian reservation surrounding Karluk Village (05/22/1943)**

The Karluk Indian reservation surrounding Karluk Village was established by PLO 0128 on 05/22/1943. This reservation covered an 8 mile long section of uplands along the coast, and included a segment of marine waters and submerged lands extending out 3000' from mean low tide along the entire 8 mile coast of the reservation. This reservation was designated "for the use and benefit of the native inhabitants of the native village of Karluk, Alaska and vicinity."

- **PLO 198 Air-Navigation Site Withdrawal No #212 (12/18/1946)**

A 0.92 acre tract was withdrawn on Forester Island for use as an Air-Navigation Site #212, to expire 6-months after the national emergency declared by Proclamation # 2487 is terminated.

- **PLO 0484 SAHE Partial revocation of EO 1039 for Snug Harbor Cannery (06/07/1948)**

PLO 1039 establishing the Tuxedni Reservation was revoked for a 20 acre tract located on the southwest portion of Chisik Island. This parcel was claimed as part of a soldiers additional application and managed as the Snug Harbor Packing Company.

- **Hynes v Grimes Packing Co. 337 US 86 (05/31/1949)**

In 1946 the Secretary of the Interior established regulations restricting fishing within 3000 feet of the shoreline along the Karluk Indian Reservation to “only the natives in possession of said reservation,” or “by other persons under authority granted by said natives.” The commercial fishing industry challenged these regulations, and was initially granted an injunction by the lower courts. In Hynes v Grimes Packing Company (337 US 86) decided in 1949, the US Supreme Court clarified the Secretary of Interior had the authority to establish the Karluk Indian Reservation, and to enforce appropriate regulations. However, the court stated the fishing regulation as written violated the proviso of the White Act, and was void. The Court remanded the issue of regulating fishing to the Secretary and the District Court for further action.

- **PL 91-504 (84 Stat 1104) Designation of Wilderness Areas within National Wildlife Refuges (10/23/1970)**

Congress designated certain lands within National Wildlife Refuges as Wilderness Areas.

- **XXXXXX**

- **EO 1186**

- **EO 1229 Modification of EO 1186 Navy (07/15/1910)**

- **EO 5289 Reserving Educational Lands (03/04/1930)**

- **PLO 0255 Withdrawing Public Lands for Use of the War Department (12/15/1944) Probably not AM**

- **PLO 0284 Amending an Executive Order and Certain Public Land Orders (06/12/1945)**

- **DO 2214 (04/15/1954)**

- **ERDA Withdrawal Application for Project Chariot (06/05/1958)**

- **A-044920 Withdrawal application (08/15/1958)**

- **PLO 2171 Withdrawal for Protection of Indian Cemeteries (08/10/1960)**

- **PLO 2288 Amending PLO 2171 by deleting a paragraph (03/06/1961)**

- **PLO 2374 Military withdrawal throughout AK (05/11/1961)**

- **PLO 4143 Partial Revocation of EO 1902-06-13 (01/03/1967)**

- **PL 90-403 To amend the Act relating to the leasing of lands in Alaska for grazing (07/18/1968)**

- **PLO 5175 Withdrawals for Selections by Village Corporations and Regional Corporations in Aleut League Region and for Classification for Lands in Withdrawals (03/09/1972)**

- **PLO 5179 Withdrawal of Lands through ANCSA for consideration of legislation (03/09/1972)**

- **PLO 5183 Withdrawal for Classification in aid of legislation ANCSA (03/09/1972)**

- **PLO 5184 Withdrawal for Classification in aid of legislation ANCSA (03/09/1972)**

- **PLO 5192 Modification of PLO 5179 (03/17/1972)**

- **PLO 5256 Cape Thompson withdrawal (09/12/1972)**

- **PLO 5394 Amendment of PLO's 5175, 5180, 5181 (09/14/1973)**

- **PLO 5438 Amendment of PLO 5175 (10/24/1974)**

- **PLO 5710 Withdrawal for Alaska Marine Resources National Wildlife Refuge (02/11/1980)**

- **ANILCA Establishment of the Alaska Maritime NWR (12/02/1980)**

- a) New lands

- i. Establishment of the Arctic Cape Lisburne

- ii. Establishment of the Cape Thompson

- b) Federal submerged lands surrounding Kodiak and Afognak Islands

Women's Bay

- **EO 7748 Naval Withdrawal on Kodiak Island (11/22/1937)**

The Women's Bay area located on and adjacent to Kodiak Island is withdrawn and reserved by EO 7748 for use by the Navy.

- **EO 8278 Withdrawing Public Land and Water for Naval Purposes (1939/10/28)**

The public land and water on and adjacent to Kodiak Island were reserved by EO 8278 on 10/28/1939 for use by the Navy. The order supersedes EO 7748.

- **PLO 1182 Altering legal description to conform to US Survey No 2539 (07/01/1955)**

Modifies EO 8278 by conforming it to US Survey 2539.

- **PLO 3705 Revokes in part EO 8278 – Gibson Cove area (06/18/1965)**

- **PLO 4119 Revokes in part EO 8278 (lands totaling approx. 11,443 ac) (12/13/1966)**

- **PLO 5550 Revokes in part EO 8278, with subsequent withdrawal of those lands for selection by Koniag and villages; transfer of remaining land from Navy to USCG (12/01/1975)**

- **PLO 5566 Revokes in part PLO 5550, with subsequent withdrawal (12/17/1975)**

- **PLO 5627 Revokes in part PLO 5550 (12/15/1977)**

- **PLO 6692 Revokes in part PLO 5550 (12/08/1988)**

- **Notice Conformance to Survey for PLO 6692 (04/13/1989)**

10. Summary of Submerged Lands Jurisdiction within the Refuge

- **Inland marine waters (bays, lagoons & estuaries)**

- a) Submerged lands beneath inland marine waters within
- b) Submerged lands beneath inland marine waters are not usually conveyed out of federal ownership
- c) The "Convention on the Territorial Sea and the Contiguous Zone" has been established by the US Supreme Court as the document providing guidance for establishing closing lines dividing inland rivers & streams from bays and estuaries.

- **Inland navigable waters (rivers, lakes & streams)**

- a) Submerged lands beneath inland navigable waters within
- b) When lands conveyed out of federal jurisdiction, title to submerged lands beneath rivers, lakes & streams is also conveyed as directed under the AK Submerged Lands Act of 1988.

- **Inland non-navigable waters (rivers, lakes & streams)**

- a) Title to submerged lands beneath inland non-navigable rivers, lakes & streams is held by the owner(s) of uplands bordering the water body.