



United States Department of the Interior

FISH AND WILDLIFE SERVICE

1011 E. Tudor Rd.

Anchorage, Alaska 99503-6199

IN REPLY REFER TO:

RE/5718.JC

MAR 11 2004

Mr. John F. Bennett, Chief, Right of Way Agent
State of Alaska
Department of Transportation and Public Facilities
2301 Peger Road
Fairbanks, Alaska 99709-5399

Dear Mr. Bennett:

This letter is in response to your letter of March 1, 2004, with respect to transferring management of ANCSA 17(b) easement E1N 4b C3, D1 (easement). Unfortunately, at this time we must decline your request for the transfer of administration of the easement. As the State of Alaska has not yet acquired legal access across Native Allotment Certificate No. 50-88-0190, the easement remains disconnected and a transfer of administration would essentially encourage a trespass across the Native Allotment. Additionally, as we stated in our February 20, 2004 letter, the easement is part of a larger road and access system in and around the Villages of Pitka's Point and St. Mary's. Therefore, we will only transfer administration of the easement if it is included as part of a transfer of administration of the larger access system.

If you are able to obtain legal access across the Native Allotment and find that you would also like to accept administration of the other 17(b) easements referred to in our February 20, 2004 letter, please contact Jennifer Cherry, Realty Specialist, at 786-3566.

Sincerely,

Sharon N. Janis
Chief, Division of Realty

RECEIVED

MAR 15 2004

STATE OF ALASKA

FRANK H. MURKOWSKI,
GOVERNOR

2301 PEGER ROAD
FAIRBANKS, ALASKA 99709-5399
TELEPHONE: (907) 451-5400
TDD: (907) 451-2363
FAX: (907) 451-5411
1-800-475-2464

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

NORTHERN REGION, PRECONSTRUCTION, RIGHT OF WAY SECTION

March 1, 2004

RE: 17(b) Easement Management
Transfer Pitkas Point Road
MGS-STP-0200 (3)/66880
St. Mary's Airport Road

Sharon Janis, Chief of Division of Realty
United States Fish & Wildlife Service
1011 East Tudor Road
Anchorage, Alaska 99503

Dear Ms Janis:

Thank you for your letter of February 20, 2004, requesting more information on the Native Allotment Patent No. 50-88-0190 and the transferring of all 17(b) easements in the access system of St. Mary's.

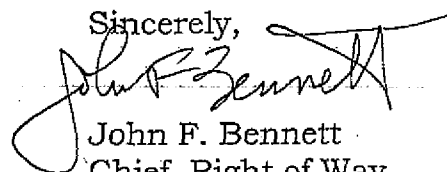
The State of Alaska is in the process of negotiating approximately 7.9 acres for access across Native Allotment FF018299, Estate of Paula Meyers. This Native Allotment has been probated to Paula Meyers' Heir - Elena Wasky, Probate No. IP SL 050 F 99, dated March 1, 2002 and recorded in the Bethel Recording District on July 19, 2002, in instrument numbers 2002-001079.

The State of Alaska contact for this project is Rose Martell-Greenblatt, Right of Way Agent. Ms. Martell-Greenblatt may be reached at (907) 451-451-5414. Teresa Jacobsson, Deputy/Acting Realty Director of the Association of Village Council Presidents, Inc, may be contacted at (907) 543-7300. Please contact either of the above named persons if you have further questions on this issue.

The State of Alaska is requesting only the transfer of management of E1N 4b C3, D1, in the Village of Pitkas Point. At the present time, the State of Alaska declines accepting the management of the remaining 17(b) easements mentioned in your letter.

Thank you for your assistance. If there is any additional information you need or have any questions, please call Alexa Greene at (907) 451-5484 or 1-800-475-2464.

Sincerely,


John F. Bennett
Chief, Right of Way



United States Department of the Interior

FISH AND WILDLIFE SERVICE

1011 E. Tudor Rd.

Anchorage, Alaska 99503-6199

IN REPLY REFER TO:

RE/5684.JC

FEB 20 2004

Mr. John F. Bennett, Chief Right of Way Agent
State of Alaska
Department of Transportation and Public Facilities
2301 Peger Road
Fairbanks, Alaska 99709-5399

Dear Mr. Bennett:

This letter is in response to your letter of January 7, 2004, requesting the transfer of management of ANCSA 17(b) easement EIN 4b C3, D1. After researching the land status of this 17(b) easement, your drawings show that it crosses Native Allotment Certificate No. 50-88-0190. The patent shows no reservation of a trail across the allotment, thus this is a disconnected 17(b) easement. We need to ensure that the private property rights of the Native Allottee are protected before we consent to the transfer of administration of the easement. Therefore, we request further information as to whether the State has obtained an easement or other interest across the Native Allotment and whether the Bureau of Indian Affairs has consented to the State's interest.

Additionally, we are providing a copy of a Quadrangle Map for Kwiguk (A-3). This map identifies the easement for which you have requested management, as well as the other 17(b) easements included in the access system around the Villages of Pitka's Point and St. Mary's. It would be inefficient to transfer administration of 17(b) easements in a piecemeal manner when the easements are part of a larger road or access system. If we transfer the administration of 17(b) easement EIN 4b C3, D1, it will be part of the larger access system including the following 17(b) easements: EIN 4 C3, D1 (St. Mary's Airport Road); EIN 2 C3, D1 D9; and EIN 10 C5, D1. Transferring administration of all the 17(b) easements in the access system will allow them to be managed efficiently as a unit.

If you remain interested in accepting administrative responsibilities, please contact Jennifer Cherry, Realty Specialist, at 786-3566, and provide the requested documentation regarding access across the Native Allotment and a statement requesting the transfer of administration of the 17(b) easements referred to above around the Villages of Pitka's Point and St. Mary's, in addition to 17(b) easement EIN 4b C3, D1.

Sincerely,

Sharon N. Janis
Sharon N. Janis
Chief, Division of Realty

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FEB 25 2004

Enclosure

STATE OF ALASKA

Frank H. Murkowski, Governor

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

DESIGN & ENGINEERING SERVICES DIVISION, NORTHERN REGION

2301 PEGGER ROAD
FAIRBANKS, ALASKA 99709-5399
TELEPHONE: (907) 451-5450
TDD: (907) 451-2363
FAX: (907) 451-5411
1-800-475-2464

January 16, 2004

RE: 17(b) Easement Management Transfer for
Pitkas Point Rd
MGS-STP-0200 (3)/ 66880
St. Mary's Airport Road

Sharon Janis, Chief of Division of Realty
United States Fish & Wildlife Service
1011 East Tudor Road
Anchorage, AK 99503

Dear Ms. Janis:

Here is additional information that was requested by Jennifer Cherry, Realty Specialist US Fish & Wildlife Service, concerning the condition of the Pitkas Point Road.


The designer of the project informed me that during the summer months the road is extremely rutty and filled with potholes, and in the winter months it drifts heavily and freezes causing glaciation. There are drainage problems and new structures are needed. Also as a result of the drainage problem there has been a loss of top surface material.

With the management transfer, DOT & PF will be able to correct all of these problems and create a safer environment for the general public and the residents of Pitkas Point.

The enclosed map is the final revision to the Right of Way Map for this project. There was a design change made to the end of the project. It was done to create a smoother transition from the road construction area to the landing at before the Yukon River.

Thank you for your assistance and if there is any additional information you need or if you have any questions please call me at 451-5484 or 1-800-475-2464.

Sincerely,



Alexa J. Greene
Right of Way Agent

Attachments:

- Final ROW plans

STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

NORTHERN REGION PRECONSTRUCTION, Right of Way Section

FRANK H. MURKOWSKI, GOVERNOR

2301 PEGER ROAD
FAIRBANKS, ALASKA 99709-5399
TELEPHONE: (907) 451-5400
1-800-475-2464
TDD: (907) 451-2363
FAX: (907) 451-5411

January 7, 2004

RE: 17(b) Easement Management Transfer
for Pitkas Point Rd
MGS-STP-0200 (3)/ 66880
St. Mary's Airport Road

Sharon Janis, Chief of Division of Realty
United States Fish & Wildlife Service
1011 East Tudor Road
Anchorage, AK 99503

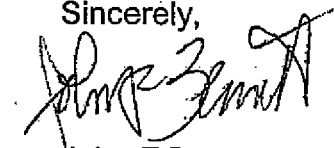
Dear Ms. Janis:

Since May 2003 we have been working with the Bureau of Land Management (BLM) in the transferring of management for the 17(b) easement EIN 4b C3, D1, in Pitka's Point, Alaska from BLM to the State. Recently, BLM realized that the management for the easement was within the boundaries of the Yukon Delta National Wildlife Refuge and in under United States Fish & Wildlife Service jurisdiction.

We request that the United States Fish & Wildlife Service transfer the management of the 17(b) easement EIN 4b C3, D1, in the Village of Pitkas Point to the State of Alaska Department of Transportation and Public Facilities. We are in the process of repairing and upgrading the current road from the intersection of the St. Mary's Airport Road and the Pitkas Point road and will end at the Pitkas Point School Site.

Thank you for your assistance and if there is any additional information you need or if you have any questions please call Alexa Greene at 451-5484 or 1-800-475-2464.

Sincerely,


John F Bennett
Chief Right of Way Agent

Attachments:

- ROW plans
- Legal descriptions
- Additional Information



United States Department of the Interior

FISH AND WILDLIFE SERVICE

1011 E. Tudor Rd.

Anchorage, Alaska 99503-6199

IN REPLY REFER TO:

DEC 22 2003

RE/5624.JC

Mr. John F. Bennett, PLS, Chief, Right-of-Way
Department of Transportation and Public Facilities
Design & Engineering Services Division, Northern Region
2301 Peger Road
Fairbanks, Alaska 99709-5399

Dear Mr. Bennett:

The Bureau of Land Management has contacted this office regarding the possible transfer of administration of ANCSA 17(b) easement EIN 4b C3, D1, in the Village of Pitkas Point. We have verified that the 17(b) easement is within the exterior boundaries of the Yukon Delta National Wildlife Refuge, and therefore under the administration of the U.S. Fish and Wildlife Service. Any transfer of administration for this easement would have to be between the Service and the State of Alaska Department of Transportation and Public Facilities.

If your office remains interested in accepting the transfer of management responsibility for Pitkas Point Road, please contact Jennifer Cherry, Realty Specialist, at 786-3566.

Sincerely,

J. Edwards
Acting Regional Director

cc: Refuge Manager, Yukon Delta National Wildlife Refuge
June A. Bailey, Acting Field Manager
Nerklikmute Native Corporation
Azachorok Incorporated
Pitkas Point Native Corporation
St. Mary's Native Corporation

Alexa, please contact her to see what we need to do to start the process.

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JAN 05 2004

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