

RG 22 Records of the U.S. Fish &
Wildlife Service
Records of the Bureau of Sport
Fisheries & Wildlife
Records of the Div. of Realty

Correspondence & Reports, 1907-68

Alaska 1908-54
Arizona 1937-49

Box No. 2

E234

RG 22, FWS
E 236, Corr. + Repts, AK 1908-54
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EA - ALASKA
GENERAL
CORRESPONDENCE

1908 thru 1954

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LA - Z
Alaska

February 2, 1942. *Kebo*

MEMORANDUM for Dr. Gabrielson.

Last week Mr. Salyer expressed the opinion that neither the Kenai nor Kodiak Refuges recently created by Executive order should be included in our tabulation of acreage - that is, the tabulation of areas under the administration of the Fish and Wildlife Service. You will recall that this was rather briefly discussed in your office last week. My recollection is that you did not pronounce a decision on the point at issue.

The Executive order in both cases used the identical language with regard to the administrative authority, the only difference between the two being the enumeration of the animals to be protected. With this difference in mind the following is quoted from the Kenai Executive order:

"All areas of land and water *****be, and they are hereby, subject to valid existing rights, withdrawn and reserved for the use of the Department of the Interior and the Alaska Game Commission as a refuge and breeding ground for moose, for carrying out the purposes of the Alaska game law of January 13, 1925 *****.

"Provisions of this order shall not prohibit the hunting or taking of moose and other game animals and game birds, or the trapping of fur animals, in accordance with the provisions of the said Alaska game law as amended and as may be permitted by regulations of the Secretary of the Interior prescribed and issued pursuant thereto."

The doubts raised by Mr. Salyer with reference to jurisdictional authority over these two areas, if valid, raise a series of questions with regard to many of the refuges previously established in Alaska, some of which were created a great many years ago.

The decision as to the administrative classification of these two refuges is such an important one that it should be made by you.

Rudolph Riggubael
Chief,
Division of Land Acquisition.

RQ 22, FWS
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Bureau copy
 Signature
 Approval
 Processing station
 Bureau of Land Management
 Department of the Interior

JUL 28 1954
 ALASKA

CHIEF
CS & M
MAPS
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CL S & M
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APPRAISALS
CONTRACTS
CL A & C
C CLERK
STATISTICS
FILE

UNITED STATES
 DEPARTMENT OF THE INTERIOR
 Bureau of Land Management
 Washington 25, D. C.

JUL 28 1954



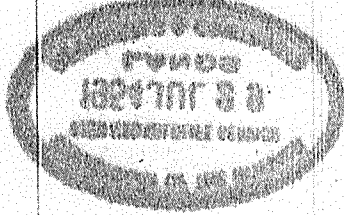
MEMORANDUM TO HOLDER OF ALASKA WITHDRAWAL ATLAS

Enclosed is a copy of an additional sheet to be added to
 your checklist of orders affecting public lands in Alaska, which
 will bring the data through December 31, 1953.

Karl S. Landstrom

Karl S. Landstrom
 Program Coordination Officer

Enclosure



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Checklist of Orders Affecting Public Lands in Alaska

Reference No.	Date	Order No.	Action, Type, Agency, and Location	Acres	Remarks
			(Continued)		
1296	1953 Jun 1	PLO 895	FE Chugach NF 12 tracts FE Tongass NF 6 tracts	40.77 10.43	(Add the symbols listed below to the list of symbols.)
1297	Jun 12	PLO 897	Rev. pt. 207	22.31	
1298	Jun 12	DO 2583	1A Protection of water supply, Mt. Edgecumbe	34.205	
1299	Jun 15	PLO 899	FE Tongass NF TS Kake Int. Elfin Cove recreation FS Elfin Cove recreation	202.00 122.00 6.20 0.40	
1300	Jun 17	STC 74	Anchorage-Palmer Hwy.	142.00	PSA - Public Sale Act
1301	Jun 17	STC 75	N. Turnagain Arm Area	212.42	
1302	Jun 17	Class. 11	PSA - 4 areas - N. Turnagain Arm	12.95	
1303	Jun 30	STC 74	Amd. No. 1, Sec. 11, T. 14 N., R. 2 W., SM	131.80	
1304	Jul 3	PLO 903) ANS 261)	CAA - Yakutat Rev. pt. Nav. Port Graham-Yakutat	266.00 34,240.00	
1305	Jul 20	SSR 503	Rest. 14 locations	2,077.04	
1306	Jul 23	SSR 504	Rest. 7 locations	577.64	
1307	Jul 24	ANS 4	Enl. 1307 - Haines	7.30	
1308	Aug 7	PLO 910	MR Gerstle River	20,000.00	
1309	Aug 26	PLO 913	Rev. pt. 937, C/L Homer, Minilchik	7,276.11	
1310	Sept 23	Class. 12	PSA Summit Lake (2 tr.)	8.5	PSA - Public Sale Act
1311	Sept 25	Memo	Adj. lands in 1095 Kleheni Pub. & 1111 Haines TR-LM to lines of survey		
1312	Oct 1	PLO 916	MR Harding Lake	3.34	
1313	Oct 6	PLO 917	Rev. pt. 556, C/L & 603 MR Kodiak	189.56	
1314	Oct 12	PLO 919	Rev. pt. 322 RR McKinley Pk.	205.20	
1315	Oct. 16	ANS 162	Enl. 604 Big Delta to USS 2626 (3984 a.)	144.00	
1316	Oct 27	PLO 925	Rev. pt. 539 Nav Aleutski I.	5.00	
1317	Nov 13	SSR 506 STC 76	Rest. & Class. 122 tracts	170.76	
1318	Nov 13	PLO 927	Rev. 355 AS, FW, Naknek R.	160.00	
1319	Nov 20	STC 77	2 tracts	182.49	
1320	Nov 23	PLO 928	FE Chugach NF, 3 tr., Tongass NF, 1 tr.	12.37	
1321	Nov 24	PLO 929	Rev. 519 NM	1,920.00	
1322	Dec 15	PO 4	Aban. area & road - Kenai	-	PO - Public Order
1323			Vacant		
1324	Dec 29	Class. 13	PSA - 5 locations	123.85	

-Continued-

RG 2.2, FWS
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LA. Alaska
BR of Lands & Refuges

UNITED STATES
DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
Juneau, Alaska

CIRCULAR LETTER

March 4, 1954

2	CHIEF	
	CS & M	
	MAPS	
	SURVEYS	
	CL S & M	
1	CA & C	
3	APPRAISALS	
	CONTRACTS	
	CL A & C	
	C CLERK	
	STATISTICS	
4	FILE	

TO: Refuge Managers and other Project Leaders, Region 6

FROM: Acting Regional Director, FWS, Juneau, Alaska

SUBJECT: Requests for Use of Service Lands



Requests for use of Service lands have been cropping up more frequently of late in Alaska and the Director has re-emphasized the need for all Service personnel to become familiar with the correct procedure.

While this is a matter ordinarily handled by Refuge Managers, circumstances frequently arise where other Service personnel are asked for information about it. For the Kenai Moose Range, Kodiak Refuge, Aleutian Island Refuge and Nunivak Island, approved Economic Use Plans or Refuge Regulations exist and, within the framework of those approvals, the procedure remains unchanged.

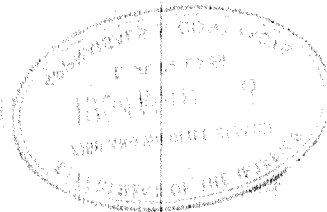
For other refuges and on administrative sites, applicants should be informed that approval rests with higher authority and that their application is under consideration or has been forwarded through channels for final action. Your views on the matter, particularly approval or disapproval of the proposal, are not to be passed on to the applicant.

The wisdom of this procedure is clear when we consider the long-term implications and the tendency to establish vested rights in use of Federal land. All-around embarrassment usually results when the Central office must render a decision contrary to a local recommendation which is known.

References to this procedure will be found in Sections 7421, 7422, 7491, 7492, and 9222 of the Refuge Manual; also in Part 21, Code of Federal Regulations, Title 50--Wildlife.

C. Howard Baltzo

C. HOWARD BALTZO



Copy for
CENTRAL FILES

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KENAI NATIONAL MOOSE RANGE REGULATIONS

Basis and Purpose. The following regulations are basically explanatory and also modify existing general restrictions to be specifically applicable to public use allowed on the Kenai National Moose Range, Alaska.

Inasmuch as these regulations are informative, notice and public procedure thereon are not required (60 Stat. 237; 5 U.S.C. 1001, et seq.)

Effective immediately upon publication in the FEDERAL REGISTER, the following subpart and sections are added:

GENERAL REGULATIONS

Sec.	
36.41	Entry.
36.42	Temporary use.
36.43	Hunting, fishing and trapping.
36.44	Economic uses.
36.45	Cabins and structures.
36.46	Hunting camp sites.
36.47	Tent sites.
36.48	Guided party camps.
36.49	Public use area.
36.50	Fires.
36.51	Mining and prospecting.
36.52	Airplane landing fields.
36.53	Permit applications.
36.54	Revocation of permits.

AUTHORITY: §§ 36.41 to 36.54, issued under sec. 10, 45 Stat. 1224; 16 U.S.C. 715i.

§ 36.41 ENTRY. Entry on and use of the refuge for any purpose are governed by the regulations in Parts 18 and 21 of this chapter and by §§ 36.42 to 36.54, inclusive, and strict compliance therewith is required.

§ 36.42 TEMPORARY USE. Any person without a permit may go on any part of this refuge (a) for temporary use for camp site purposes, (b) for recreational purposes, the taking of photographs, nature study or scientific study, and (c) for any other temporary or transient uses not inconsistent with the purposes for which the refuge was established and not in conflict with the provisions of §§ 36.41 to 36.53, inclusive, or other applicable laws and regulations, including those of the Territory.

§ 36.43 HUNTING, FISHING, AND TRAPPING. Any person may hunt, trap, or take game fish on the Kenai National Moose Range, provided such person

Note: Title 50 - Wildlife, Chapter 1 - Fish and Wildlife Service, Dept. of the Interior. Subchapter C - Management of Wildlife Conservation Areas. Part 36 - Alaska Region, Subpart - Kenai National Moose Range, Alaska. (Federal Register - Sept. 19, 1952 and March 26, 1953.)

complies with the provisions of the Alaska Game Law and regulations issued pursuant thereto and has on his person and exhibits at the request of any authorized Federal or Territorial officer whatever license or licenses may be required by such law or by Territorial law or regulations, which license shall serve as a Federal permit for such activity.

§ 36.44 ECONOMIC USES. When such operations will not endanger the purpose for which the refuge was established, the Regional Director or the Refuge Manager may grant revocable permits for the removal of timber, firewood, or other spontaneous products of the soil, including sand, shell, gravel, and stone, or for other privileges and uses of the refuge under such terms and conditions and at such rates of charge as the Director may determine to be in the public interest.

§ 36.45 CABINS AND STRUCTURES. (a) The Regional Director may grant revocable permits in accordance with § 36.44 for the erection or maintenance of cabins or other structures of a permanent or semipermanent nature after a full consideration of all the facts and equities. The benefits of such a permit shall inure only to the person or persons owning such building or structure at the time of the granting of the original permission, and such right and interest shall not be transferable.

(b) The Regional Director may refuse to grant a permit for the use and maintenance of any cabins or other structure whenever such action, in his discretion, is in the public interest. Whenever the Regional Director determines that the public interest will be served by refusing to grant a permit authorizing the continued occupancy or maintenance of any cabin or structure erected prior to the effective date of this subpart, such cabin or structure shall be deemed to be in trespass.

§ 36.46 HUNTING CAMP SITES. Revocable permits may be granted under § 36.44 for the use of sites within an area adjoining Chickaloon Bay designated by the Refuge Manager for the maintenance of duck hunting camps by organizations and individuals. No permits will be issued for commercial lodges.

§ 36.47 TENT SITES. Temporary tent camps for private use (as distinguished from commercial or guided operations) are allowed without formal permit, provided that no site may be occupied for more than 60 days, and all installations and facilities shall be removed from the site at the conclusion of the occupancy.

§ 36.48 GUIDED PARTY CAMPS. No guide or transportation agent shall establish or maintain a camp of any type on lands of the Moose Range, either for commercial or noncommercial purposes, without first obtaining a permit to be issued without charge by the Refuge Manager. The Refuge Manager may specify the area or areas within which guided party camps may be maintained and the period during which such camps may be maintained: Provided, That no guided party camp shall be permitted within the following areas of intensive public use:

(a) Kenai River between Skilak Lake and a point approximately 4 miles downstream, and on the Kenai River from Skilak Lake upstream to the Moose Range boundary.

(b) Skilak Lake.

(c) Hidden Lake.

- (d) Russian Lake.
- (e) Upper and Lower Russian Lakes.

§ 36.49 PUBLIC USE AREA. The exercise of any privileges under the terms of any permit issued pursuant to the provisions of §§ 36.44 to 36.48 shall be subject at all times to the right of the public to enter upon, cross, and otherwise use seasonally in connection with commercial fishing operations such of the lands described in the permit as lie within 100 yards of the high-water mark of Cook Inlet.

§ 36.50 FIRES. (a) The following acts in regard to fires are prohibited on the refuge:

(1) Setting on fire or causing to be set on fire any timber, brush, grass, or other soil cover, except as authorized by or on areas designated by the Refuge Manager.

(2) Building a camp fire in a dangerous place or during windy weather without confining it to holes or cleared spaces from which all vegetable matter has been removed.

(3) Leaving a camp fire without completely extinguishing it.

(b) Provisions of the Territorial Fire Control Act, Sec. 65-5, ACLA 1949, shall apply to the refuge.

(c) Certain areas of high hazard on the refuge may be closed to public entry during periods of high fire danger, by suitable posting by the Refuge Manager.

§ 36.51 MINING AND PROSPECTING. Entry on the refuge for the purpose of prospecting or mining is prohibited except on valid mining locations predating the Executive Order establishing the refuge (December 16, 1941).

§ 36.52 AIRPLANE LANDING FIELDS. The construction of airplane landing fields or the alteration or improvement of the terrain in any manner which would result in the creation of landing areas other than those available in the natural condition is prohibited on the refuge.

§ 36.53 PERMIT APPLICATIONS. Applications for permits covering any of the above permitted uses should be addressed to the Regional Director, Fish and Wildlife Service, Juneau, Alaska, or to the Refuge Manager, Fish and Wildlife Service, Kenai, Alaska.

§ 36.54 REVOCATION OF PERMITS. Any permit issued under this subpart may be revoked by the issuing officer for noncompliance with the terms thereof, for nonuse, or for violation of any law or regulation applicable to the refuge or of any Territorial or Federal law or regulation protecting game, fish, or other wildlife, and it is subject at all times to discretionary revocation by the Director of the Service.



RG 22, FWS
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Box 2

LA- Alaska

DEC 22 1950

Memorandum

To: Mr. Dale E. Doty, Assistant Secretary
From: Acting Director, Fish and Wildlife Service
Subject: Width of Rights-of-Way of Alaska Roads

Reference is made to your memorandum of November 17, 1950, which was transmitted with correspondence from the Alaska Field Committee on the above subject.

Item 1. Widths of Road Rights-of-Way.

As to the widths of rights-of-way, the Fish and Wildlife Service is willing to go along with the recommendation of the Field Committee to the effect that width of rights-of-way for roads in Alaska should be 200 feet for all through roads, 200 feet for all feeder roads, and 100 feet for local roads.

Item 2. Easements versus Withdrawals for the Creation of Rights-of-Way.

The Fish and Wildlife Service would recommend that easements be granted for road rights-of-way instead of withdrawals for the reason that they are more flexible in the event of changes in location or if abandoned. If the Department were to go along with withdrawals for rights-of-way, we believe that such withdrawals should be subject to the withdrawals for wildlife so that there will be no loopholes in a refuge or sanctuary area.

Item 3. Administration of Road Rights-of-Way.

The Fish and Wildlife Service would recommend that all road rights-of-way in Alaska 300 feet or less in width should be administered by the Alaska Road Commission insofar as highway uses are concerned and that no special use permits should be granted on these rights-of-way. The Fish and Wildlife Service would recommend that on roads with rights-of-way in excess of 300 feet wide the area beyond 150 feet from each side of the center line should be administered by the Bureau of Land Management and special use permits be issued for such portion of the right-of-way excepting where such rights-of-way traverse wildlife refuge areas, in which event any special use permits should be granted by the Fish and Wildlife Service.

AAR:emer:jrd
501219

Copy to: Refuges
Central Files ✓
1 Extra

(SGD) O. H. JOHNSON
Acting Director

DEC 22 1950
Copy for
CENTRAL FILES

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Box 2

Regional Director, Juneau
Acting Chief, Lands Division
Official Plats

August 25, 1947

LAS - Alaska
Kenai (with one copy
of enclosure)

There are transmitted for your information and files two copies of a Bureau of Land Management memorandum dated July 27 addressed to your District Land Office, Anchorage, concerning the official filing of plats of survey affecting lands within the Kenai National Moose Refuge.

Enclosure
cc: Refuge Division

LA - Alaska
Kenai (U.S.) with one copy of enclosure ✓

KCK:ghs

FILE COPY
DIVISION OF LANDS

RG 22, FWS
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UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington 25, D. C.

July 27, 1947

MEMORANDUM for the Acting Manager,
District Land Office,
Anchorage, Alaska.

Enclosed are copies of notice of the official filing of plats of survey of complete T. 5 N., R. 8 W., (2 sheets) T. 5 N., R. 9 W., (3 sheets) T. 5 N., R. 10 W., (2 sheets) secs. 30 and 31, T. 6 N., R. 10 W., secs. 1 to 3, secs. 10 to 36 inclusive, T. 4 N., R. 11 W., secs. 22 to 27 inclusive, secs. 34 to 36 inclusive, T. 6 N., R. 11 W., Seward Meridian, Alaska.

The records of this bureau show that by Executive Order No. 7888 of May 16, 1938, the public lands in the E $\frac{1}{2}$ sec. 20, secs. 21 and 28 and E $\frac{1}{2}$ sec. 29, T. 4 N., R. 11 W., are withdrawn from settlement, location, sale or entry for classification and pending a determination as to the advisability of reserving them for national-monument purposes.

All of the lands shown on these plats are included in the Kanai National Moose Range established by Executive Order No. 8979 of December 16, 1941. Under the provisions of this order, Ts. 5 N., Rs. 8 to 10 W., and the lands in a strip six miles wide along the shore of Cook Inlet, extending from a point six miles east of Boulder Point to the point on Kasilof River intersected by the six mile strip, shall remain under the primary jurisdiction of the Bureau of Land Management and their reservation and use as a part of the national moose range shall be without interference with the use and disposition thereof pursuant to the public land laws applicable to Alaska; provided that the lands just referred to shall be classified by the Bureau of Land Management, and those lands classified as not suitable for settlement shall no longer be available for that purpose. The surveyed lands involved in T. 4 N., R. 11 W., and Ts. 6 N., Rs. 10 and 11 W., that are within the six mile strip and remain under the jurisdiction of this bureau under the provisions of Executive Order No. 8979 are described as follows:

Seward Meridian, Alaska,

T. 4 N., R. 11 W.,
sec. 1, lots 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$;
secs. 2, and 3, all;
secs. 10, and 11, all;
sec. 12, W $\frac{1}{2}$;
sec. 13, W $\frac{1}{2}$;
secs. 14 to 23, all, inclusive;
sec. 24, W $\frac{1}{2}$ W $\frac{1}{2}$;
sec. 25, W $\frac{1}{2}$ W $\frac{1}{2}$;
secs. 26 to 35, all, inclusive;
sec. 36, W $\frac{1}{2}$ W $\frac{1}{2}$.

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1. 472 "K"

T. 6 N., R. 10 W.,
sec. 30, lots 1, 2, 3, 4, E $\frac{1}{2}$ SW $\frac{1}{4}$;
sec. 31, lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$.

T. 6 N., R. 11 W.,
secs. 22, 23, 25 to 36, all, inclusive.
sec. 24, NW $\frac{1}{4}$, S $\frac{1}{2}$.

The remaining surveyed lands in secs, 1, 12, 13, 24, 25, 36, T. 4 N., R. 11 W., secs. 30, 31, T. 6 N., R. 10 W., and sec. 24, T. 6 N., R. 11 W., are outside of the six mile strip, and are reserved under the provisions of Executive Order No. 8979.

You will proceed with the notice in accordance with the provisions of 43 CFR 240.3 as amended by Circular No. 1486b of October 9, 1945.

In all future correspondence relating to these plats, including your report of filing on 4-352 you will refer to the file number at the beginning hereof.

/Sgd./ FRED W. JOHNSON

Director.

Enclosures.