

NOTE TO FILE:

A meeting of the Bureau of Land Management (BLM) Fairbanks District Advisory Council was held on November 15, 1984 at BLM, discussing topics on the attached agenda.

We came in while the Steese/White Mountains Proposed Resource Management Plan was in discussion. They were discussing restrictions on the various resource areas. They also briefly discussed access into the resource area, which would be limited to vehicles of 1500 lbs. or less. They did note that the Department of Transportation and Public Facilities was going to work on assertion of trails in the resource area.

There was a brief discussion on the increase in military personnel which is scheduled to occur in three years. Provided funding is available. BLM plans to construct a facility at the present State Department of Natural Resources (DNR) location. The fire fighting unit will remain on base.

The RS 2477 MOU was the third topic of discussion. Carl Johnson outlined the MOU and answered questions from the panel.

Points of conversation:

#9 - BLM made it clear to the assembly that there could be no reservations on lands (PLO, EO, grant, etc.) prior to construction of the trail.

#13 - was discussed briefly. The historical use of the trail would be an important part of the evidence for the assertion process.

Assertions filed by the State must have enough information to show the actual location of the trail. The Trails Inventory maps are not sufficient evidence due to the small scale.

#14 - brought out that all "new" land owners (Park Service, Fish & Wildlife, Native Corporation, etc.) have to be involved whenever the land is not unreserved, public land. These new owners must be presented the evidence supporting the assertion and their concurrence of the trails use obtained. Litigation was mentioned more than once as a possible determining factor between State and land owner if a difference of opinion might arise. BLM emphasized that they would be responsible for only the BLM lands crossed by the RS 2477.

Carl Johnson indicated that the public would be working mostly with DOT&PF in compiling the historical information, which he said we had available and that they would assemble the information according to the criteria (17) acceptable to BLM for assertion. He said it was likely that DOT&PF would do the majority of the asserting of RS 2477s.

The question also came up about BLM using the definition of "highway" since it is so liberal. They are at present but when the document is rewritten they may redefine it. Some of the panel appeared to be a little uncomfortable about the broad use.

BLM indicated there were problems with the MOU as it reads now but they would operate under the present agreement until a couple RS 2477s had been asserted. The assembly became quite restless and it was obvious that there were a number of people who wanted to speak before the comment period so a break was called.

The next topic of discussion was presented by Bob Barnes. He drew five examples of 17b easements on the board and read the attached Departmental Manual Release #2586 verbatim.

When the meeting reconvened the following individuals testified as to the necessity of RS 2477s.

Joe Vogler
Roger Burggraf
Don Stein
Joe Vogler
Stan M (?)

The testimony centered around the need for identifying the trails for public use and the definition of "construction". 17(1)(a) does give a very broad definition of construction but they seemed to miss that point. As Joe put it - construction was working on a trail to make it passable for whatever equipment was being transported.

Paul Costello, President of Interior Village Association, also expressed his thoughts on RS 2477s. He felt RS 2477s should be determined outside of governmental agencies. He noted that 1) RS 2477s have never been shown on the lower 48 land documents and 2) that if the State accepts management "responsibility" (authority) that it should maintain the trail (spec. mentioned the 70 Mile Trail outside Eagle).

The problem of trail management with regard to adjacent property holders was briefly discussed. Although a width was not discussed, BLM said they would interact with the State if the trail users got off the trails because it was impassible and rerouted the trail on the adjacent land. This situation, they said, would constitute a need for management authority assertion, therefore, requiring more from the State than being an easement holder.

Although the MOU has been implemented, it is obvious that there is a very tentative air pervading the topic.

I was constantly under the impression that BLM expected the State to go to court continually to defend RS 2477s.

 RLK/JAH