



## **Governor Files State Action**

### *Lawsuit to Quiet Title to Brooks Range Area Right-of-Way Announced*

April 12, 2005  
Tuesday

Alaska Governor Frank H. Murkowski announced Monday the filing of a lawsuit against the United States and Gale Norton, in her capacity as Secretary for the Department of the Interior, to quiet title to the state's rights-of-way for the Coldfoot-Chandalar Lake Trail and Caro to Coldfoot trail. Several other non-federal stakeholders with claims to land adjoining or surrounding the trails were named as defendants in this lawsuit.

"As far back as 1906 this trail was used to access gold in the Chandalar area," said Murkowski. "As such, the trail is one of many rights-of-way under federal law located within Alaska. Establishing clear title to these historical routes, including the Coldfoot-Chandalar trail, is key to preserving our statehood rights and critical to this administration's priority to open access across the state."

This trail is one of many access routes commonly referred to as Revised Statute 2477 (RS 2477) rights-of-way. They were granted by the United States to encourage miners and settlers to move and expand outward into our western states and Alaska. The statute grants a right-of-way over federal land that is not otherwise reserved for public use. RS 2477 was repealed in 1976 but existing rights-of-way created under this measure were preserved under federal law.

In addition to the 65-mile long Coldfoot-Chandalar Trail (designated as RST 9 in the state's land records) the state's suit also seeks quiet title to the 85-mile long Caro-Coldfoot (RST 262). These routes were selected for a number of reasons, including:

- Well documented historical usage;
- Current use for mining, hunting, subsistence and recreation purposes;
- Access to over a million acres of state land.

"Confirming title to the trails has minimal impact on federal interests because none of the routes involved cross over any national parks or refuges," said Murkowski. "The private property interests impacted here range from individual mining claims to corporate interests. It is our belief that Alaska holds legal title to these access routes, and that this action is compatible with existing private interests and uses."

The Alaska Department of Natural Resources provides detailed information and answers to frequently asked questions involving RS 2477 rights-of-way, online at: <http://www.dnr.state.ak.us/mlw/trails/rs2477/>

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 [State Action - Complaint filed](#)

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