

**Throat Creek**  
**HUC 30502, Zone 3, Kuskokwim River Region**

**FINAL**  
**INTERIM SUMMARY REPORT**

Prepared by Nicole Lantz, Historian I

Office of History and Archaeology  
Department of Natural Resources  
State of Alaska

Kuskokwim Assistance Agreement  
Phase II-B Submission

October 5, 2011

## PREFACE

The research and writing of this study is funded by the U.S. Department of the Interior, Bureau of Land Management (BLM) through the Navigability Assistance Agreement (Cooperative Agreement # LO9AC15466). The State of Alaska (State) and BLM established an assistance agreement in 2004 to facilitate the preparation of navigability reports that could be used for a variety of purposes, including the process for determining who owns title to the land under inland water bodies. Under the Statehood Compact, land under navigable waterways is reserved to the State. Navigability is based on historic use of water bodies for travel, trade and commerce up to the time of Statehood (1959), or recent use of the water bodies that demonstrates susceptibility to travel, trade and commerce in 1959.

The Navigability Assistance Agreement began as a pilot project focused on researching the history of use of water bodies in the Kuskokwim River region. The scope of work for the Assistance Agreement calls for identifying potentially navigable water bodies where the United States is an upland landowner or may otherwise have a potential interest in the submerged lands; gathering information from BLM records and a 1985 regional history of the Kuskokwim River region; writing narrative histories of each water body summarizing land status, land conveyance decisions, past navigability determinations, physical character of the water body, and a history of use on the water body. These reports are prepared in stages. The first stage (Phase I-A) consists of land status. An interim summary report (Phase II-B) is generally limited to information in the files of the U.S. Department of Interior and a regional history of the Kuskokwim River region written by C. Michael Brown in 1985. A final summary report (Phase IV) incorporates expanded research in materials located in other state and federal agency files, the holdings of various libraries and archives in Alaska, and interviews with people who have knowledge of use of the water body.

The present report represents work at the Phase II-B level. The research and writing of this report was conducted by State employees working under the guidance of an Assistance Agreement Management Team composed of representatives of BLM and the State. The management team sets priorities, reviews the reports on water bodies at various stages, and decides at what point enough research, analyses and writing has been completed on each specific water body. The management team directed the authors of these reports to refrain from drawing conclusions about the water body's navigability or susceptibility to navigability. Rather, the management team directed the authors to provide an overview at the end of the report summarizing the types of evidence of historic and contemporary use and highlighting those areas (such as portions of the water body) where gaps in knowledge remain and additional research might be warranted.

Documents that are key to understanding agency decision making or the point of view of an interested party are indicated as Attachment 1, Attachment 2, etc., which appear after the corresponding endnotes. These documents are listed in the Table of Attachments and can be viewed in their entirety in a separate PDF file that supplements this report. A list of the Navigable Waters Research Reports completed to date is included at the end of this report.

# Table of Contents

Preface.....	i
Table of Contents.....	ii
Table of Figures.....	ii
Table of Tables.....	ii
Attachments (in PDF format).....	ii
I. Introduction.....	1
II. Land Status.....	2
III. BLM Navigability Determinations and Land Conveyance History.....	4
IV. Physical Character of the Waterway.....	8
V. Evidence of Use of the Waterway.....	9
<i>Early Native Use of Throat Creek</i> .....	9
<i>BLM Interviews with locals and ADF&amp;G Subsistence Report</i> .....	10
VI. Summary.....	11
Endnotes.....	12

## Table of Figures

Figure 1. Map of Zone 3, HUC-30502. Location of Throat Creek.....	1
Figure 2. Map of Throat Creek Showing Land Status.....	3
Figure 3. Map of Throat Creek showing BLM Navigability Determinations.....	7
Figure 4. Alaska Department of Fish & Game (ADF&G) map of areas used by Akiachak residents for caribou hunting in the late summer and fall when access to the GMU #19 is by boat.....	10
Figure 5. ADF&G map of areas used by Akiachak residents for moose hunting in the late summer and fall when access to the GMU #19 is by boat.....	11

## Table of Tables

Table 1. Navigability Determinations for Throat Creek.....	8
--	---

## Attachments (in PDF format)

- Attachment 1.** Horace D. Sanders, BLM Natural Resource Specialist, Memorandum on Easement Task Force Meeting on the Lower Kalskag, April 21, 1976, BLM files, F-14888-EE.
- Attachment 2.** Marty Karstetter and Paul Johnson, BLM Realty Specialist, Memorandum on Meeting held with The Kuskokwim Corporation (TKC) Concerning Lands near Stony River, Sleetmute, Red Devil, Georgetown, Crooked Creek, Napaimute,

- Russian Mission, Aniak, Upper Kalskag, and Lower Kalskag, May 17, 1982, BLM files, F-14888-EE.
- Attachment 3.** Edward McNamara, Kuskokwim Corporation Resource Manger, Letter to Bob Arnold, BLM Assistant State Director for ANCSA, July 9, 1982, BLM files, F-14888-A.
- Attachment 4.** Robert Faithful, BLM Acting Assistant State Director for Conveyance Management, Letter to Mr. Glenn Fredericks of TKC, August 20, 1982, BLM files, F-14888-EE.
- Attachment 5.** Robert D. Arnold, Assistant to the BLM State Director for Conveyance Management, Final Easements Memorandum for TKC for the Village of Lower Kalskag, August 25, 1982, BLM files, F-14888.
- Attachment 6.** Ann Johnson, BLM Chief, Branch of ANCSA Adjudication, Decision to Interim Convey (DIC), September 30, 1982, BLM files, F-14888.
- Attachment 7.** Ann Johnson, BLM Chief, Branch of ANCSA Adjudication, Interim Conveyance (IC) No. 745, September 30, 1983, BLM files, F-14888.
- Attachment 8.** Ann Johnson, Chief, BLM Branch of Calista Adjudication, Tentative Approval to the State of Alaska, August 5, 1987, BLM files, AA-12877.
- Attachment 9.** Wayne A. Boden, BLM Deputy State Director for Conveyance Management, Memorandum on Navigable Waters in Group Survey 254, May 8, 1989, BLM files, F-14888-EE.
- Attachment 10.** Jerry B. Lewis, BLM Chief, Survey Preparation and Navigability Section, Memorandum on Navigable Waters within ANCSA-Selected and IC'd Lands in the Lower and Upper Kalskag Project Area (CANA -1 Calista Region), January 15, 2004, BLM files, FF-14888-EE.
- Attachment 11.** K.J. Mushovic, BLM Land Law Examiner, Intent to Issue Patent, July 29, 2005, BLM files, F-14888-EE.
- Attachment 12.** Richard Thwaites, BLM Chief of Branch of Land Transfer Services, Patent, September 7, 2005, BLM files, F-14888-EE.
- Attachment 13.** Master Title Plat (MTP), T. 15 N., 63 W., SM.
- Attachment 14.** MTPs, Tps. 15-16 N., R. 61 W., and T. 15 N., R. 62 W., SM.
- Attachment 15.** Edgar A. Earnhart, BLM Realty Specialist, Interviews for Group Survey 254, August 4, 1988, BLM files, F-14888-EE.

# Throat Creek

## HUC 30502, Zone 3, Kuskokwim River Region

### II-B Interim Summary Report

#### I. Introduction

Throat Creek (local name) is located in the Kuskokwim River Region, Zone 3 within HUC 30502 (Figure 1). Throat Creek is 32 river miles<sup>1</sup> long and is a tributary of the Kuskokwim River.

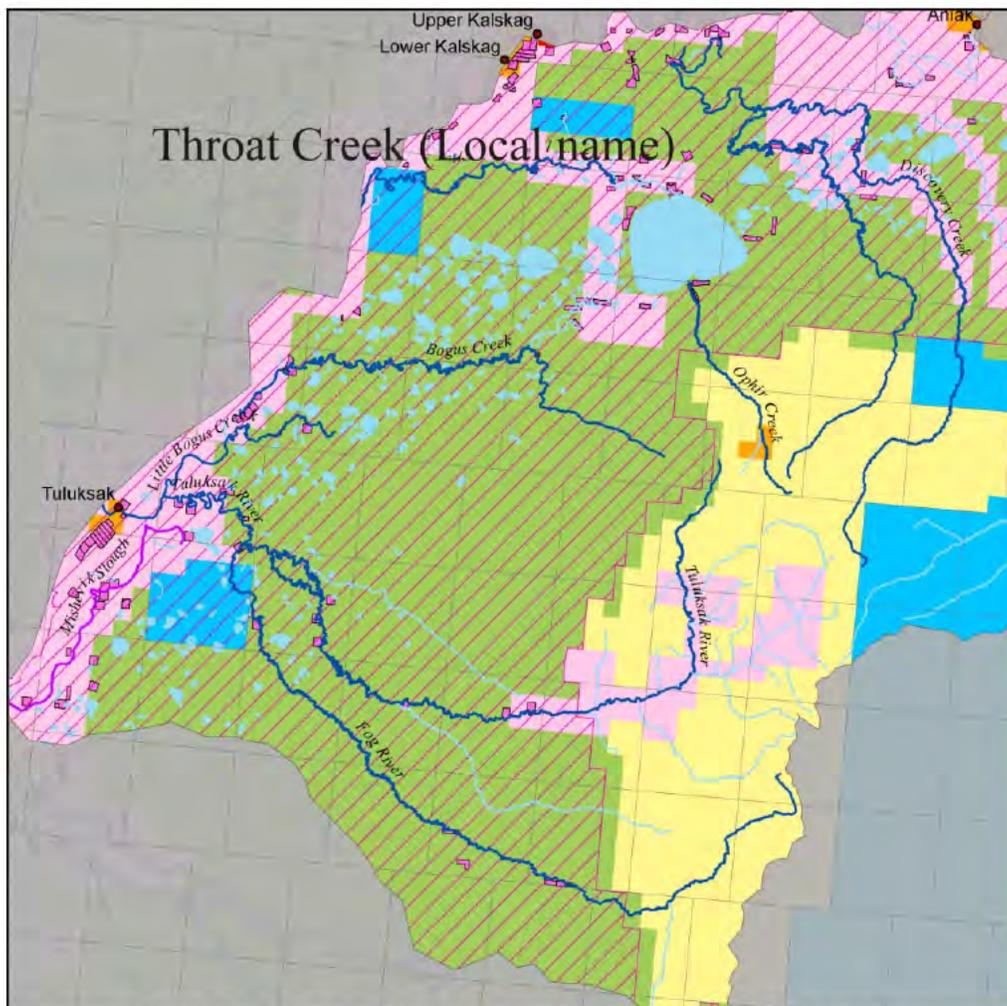


Figure 1. Map of Zone 3, HUC-30502. Location of Throat Creek.

<sup>1</sup> River mile markers used in this report are based on Geographic Information System (GIS) calculations using the National Hydrography Data Set which was derived from U.S. Geological Survey quadrangle maps. The river mile marker system used in this report may be different than river mile markers found in BLM/ANILCA documents, which may be based on air miles between points rather than distances along the river bed of the main channel.

Throat Creek comprises four townships: Township (T.), Range (R.), Section (Sec.), on the Seward Meridian (SM):

T. 15 N., R. 61 W., SEC. 1	T. 15 N., R. 62 W., SEC. 1	T. 15 N., R. 62 W., SEC. 18
T. 15 N., R. 61 W., SEC. 2	T. 15 N., R. 62 W., SEC. 2	T. 15 N., R. 63 W., SEC. 9
T. 15 N., R. 61 W., SEC. 3	T. 15 N., R. 62 W., SEC. 3	T. 15 N., R. 63 W., SEC. 10
T. 15 N., R. 61 W., SEC. 6	T. 15 N., R. 62 W., SEC. 4	T. 15 N., R. 63 W., SEC. 11
T. 16 N., R. 61 W., SEC. 31	T. 15 N., R. 62 W., SEC. 7	T. 15 N., R. 63 W., SEC. 12
T. 16 N., R. 61 W., SEC. 32	T. 15 N., R. 62 W., SEC. 8	T. 15 N., R. 63 W., SEC. 14
T. 16 N., R. 61 W., SEC. 33	T. 15 N., R. 62 W., SEC. 9	T. 15 N., R. 63 W., SEC. 15
T. 16 N., R. 61 W., SEC. 34	T. 15 N., R. 62 W., SEC. 10	T. 15 N., R. 63 W., SEC. 16
T. 16 N., R. 61 W., SEC. 35	T. 15 N., R. 62 W., SEC. 17	T. 15 N., R. 63 W., SEC. 21

Throat Creek heads in Sec. 1, T. 15 N., R. 61 W., SM, and joins the Kuskokwim River in Sec. 21, T. 15 N., R. 63 W., SM. The nearest villages to the mouth of Throat Creek are Upper and Lower Kalskag, 28 miles to the north. Lower Kalskag is located on the north bank of the Kuskokwim River, two miles downriver from Upper Kalskag. These villages are 26 miles west of Aniak, 89 miles northeast of Bethel, and 350 miles west of Anchorage.

Throat Creek is a local name and is not cited in the *Dictionary of Alaska Place Names* or listed in the U.S. Geological Survey (USGS) Geographic Names Information System (GNIS).<sup>1</sup> In Yupik *Igyaraq* means “throat” and *Igeyakhuk* means “throat village.” According to oral history the river on the north shore of Whitefish Lake is called *Igyaraq*. There was a village there called *Igeyakhuk*.<sup>2</sup>

## II. Land Status

Throat Creek heads near river mile 9.2 of the Whitefish Lake Outlet and flows for 12 miles across ANCSA village corporation and Native allotment lands. The river then flows for 11 miles across lands managed by the U.S. Fish and Wildlife Service (USF&WS) until crossing onto State land. Throat Creek flows through State land for seven miles until crossing onto ANCSA village corporation land for 1.2 miles before its confluence with the Kuskokwim River (Figure 2).

The initial withdrawal of the Yukon Delta National Wildlife Refuge (NWR) was first set aside by President Theodore Roosevelt in 1909 and did not include Throat Creek. In 1972 the refuge was expanded under Public Land Order 5184 by withdrawing unreserved public lands managed by the BLM. Under the Alaska National Interest Lands Conservation Act (ANILCA) of 1980 the expanded withdrawal was transferred to the federal refuge system and added to the Yukon Delta NWR. This withdrawal included Throat Creek. Title to the refuge lands is held by the United States; the USF&WS is the manager of these lands.

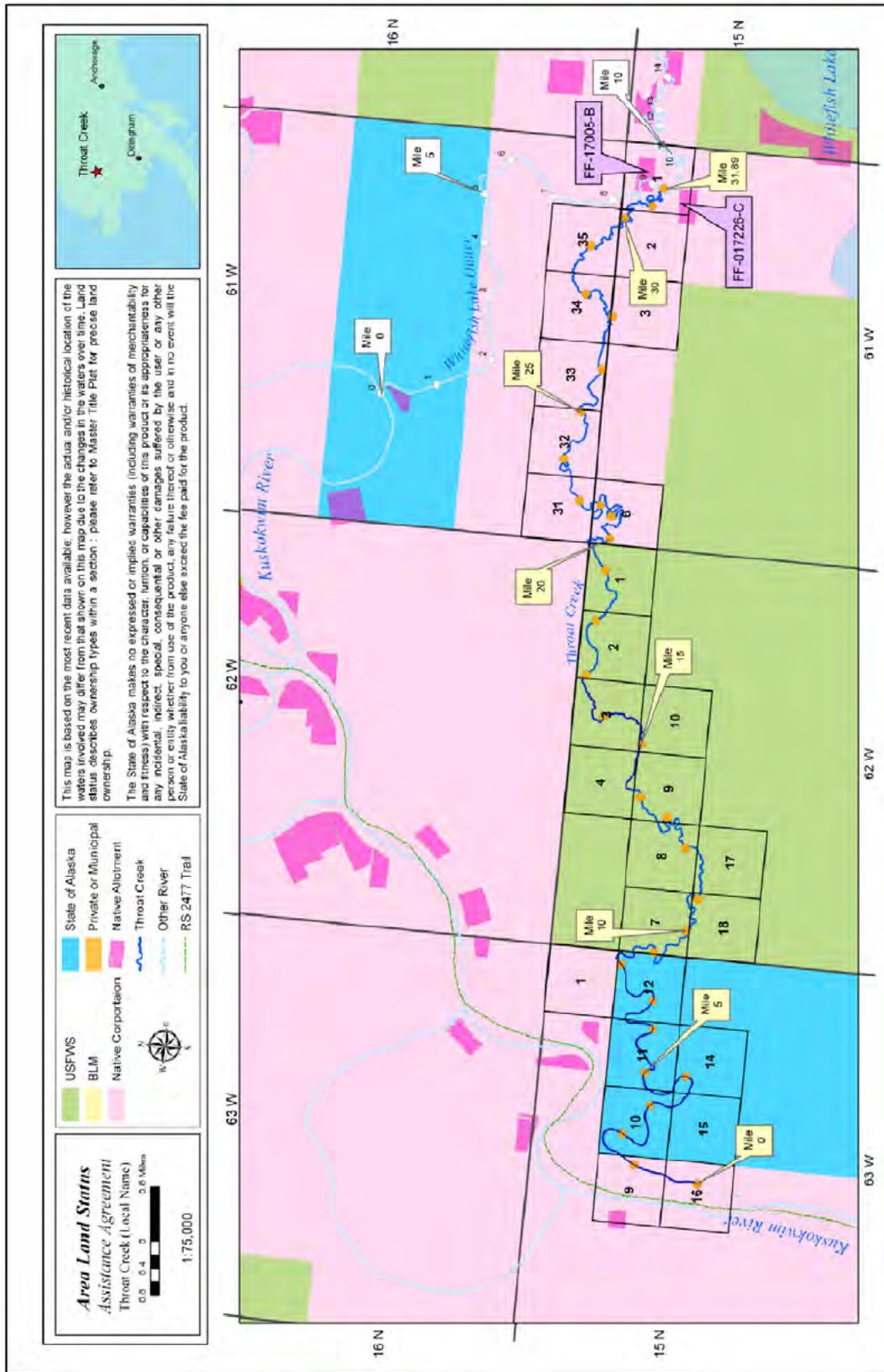


Figure 2. Map of Throat Creek Showing Land Status.

The uplands of Throat Creek, in Sec. 10, 11, 12, 14, and 15, T. 15 N., R. 63 W., SM., are managed by the State of Alaska and were tentatively approved (TA No. 19870061) in 1987 by Ann Johnson, BLM, Chief of ANCSA Adjudication.

The Alaska Native Claims Settlement Act (ANCSA) was signed into law on December 18, 1971, with the intention of resolving aboriginal land claims in Alaska. The law established 13 Native regional corporations and over 200 Native village corporations. Of the regional corporations established, only 12 were entitled to select 44 million acres of land in Alaska to be allocated among these corporations based on population and the provisions of Section 12 of the Act. For the village selected lands, the village corporations are entitled to the surface estate and the subsurface estate goes to the regional corporation.

The Calista Corporation is the regional Native Corporation for the middle Kuskokwim River villages. The Kuskokwim Corporation was formed on April 25, 1977 when ten village corporations from the middle Kuskokwim River, including Upper and Lower Kalskag, merged to form one company. The Kuskokwim Corporation selected lands along Throat Creek.

The Alaska Native Allotment Act of 1906 permitted individual Alaska Natives to acquire title to up to 160 acres of land. The Act was repealed in 1971 with the passage of ANCSA. However, a savings clause preserved allotment applications still pending as of the effective date of ANCSA on December 18, 1971.<sup>3</sup> Two Native allotments, FF-17005-B and FF-017226-C, are located near the portage of Throat Creek and Whitefish Lake outlet. Both parcels were certificated to Kalskag residents.

### **III. BLM Navigability Determinations and Land Conveyance History**

On April 21, 1976, Horace D. Sanders, a BLM Natural Resource Specialist, issued a memorandum on an easement task force meeting for the Lower Kalskag land selections. The BLM task force recommended a one-acre site and 25-foot wide trail easement (EIN 10 C4, C5) across village selected lands.<sup>ii</sup> The site, located on the south end of an oxbow lake with a trail from Sec. 33, T. 15 N., R. 63 W., easterly to Sec. 34, T. 15 N., R. 63., SM, was intended to provide access to public lands from the Kuskokwim River. The easement, three miles south of Throat Creek, would have provided access to the same block of state land that Throat Creek does. Throat Creek was not discussed in this memorandum.<sup>4</sup> (Attachment 1)

Marty Karstetter and Paul Johnson, BLM Realty Specialists, issued a memorandum on May 17, 1982 summarizing meetings held by the BLM with TKC on April 29 and 30 concerning lands selected by the regional villages including Lower Kalskag. TKC opposed the site easement (EIN 10 C4, C5) because the public land in T. 15 N., R. 63 W., SM, can be accessed using a slough of the Kuskokwim River that starts in Sec. 16, traverses Sec. 9 and enters public land in the NW ¼ Sec. 10, T. 15 N., R. 63., SM. This describes lower Throat Creek.<sup>5</sup> (Attachment 2)

---

<sup>ii</sup> These easements are provided for under ANCSA, Section 17(b).

In July 9, 1982, Edward J. McNamara, TKC Resource Manager, wrote a letter to Bob Arnold, the BLM Assistant State Director for ANCSA. He stated that the DICs for “ten villages that comprise the Kuskokwim Corporation have declared non-navigable certain water bodies the Corporation and its shareholders believe to be navigable in fact, and therefore navigable in law.” McNamara listed Throat Creek as one of these rivers, stating that the creek is “navigable throughout all of TKC’s selected lands.” The selected lands that Throat Creek traverses are Secs. 9 and 16, T. 15 N., R. 63 W., SM. Throat Creek enters public land in the NW ¼ Sec, 10, T. 15 N., R. 63, SM. Depositions were collected from shareholders and “downriver people” stating that the creek receives heavy use in a wide variety of craft, especially for hunting, fishing, and fur trapping.<sup>6</sup> (Attachment 3) A search through BLM, State of Alaska Department of Natural Resources and the Alaska Department of Fish and Game (ADF&G) files did not locate these depositions described by McNamara as included in the appendix to TKC’s letter.

Robert Faithful, the BLM Acting Assistant to the State Director for Conveyance Management, informed Mr. Glenn Fredericks of TKC, in a letter dated August 20, 1982, of a decision to amend easement recommendations that include EIN 10 C4, C5. In the letter, BLM stated that this trail is not needed in its present location since access to public land and its resources can be gained using the “navigable Throat Creek (local place name )” whose confluence with the Kuskokwim is in Sec. 16, T. 15 N., R. 63 W., SM.<sup>7</sup> (Attachment 4)

On August 25, 1982, Robert D. Arnold, the BLM Assistant to the State Director for Conveyance Management, issued a Final Easements Memorandum for TKC for the Village of Lower Kalskag. In this memorandum, the BLM determined the unnamed waterbody, known locally as Throat Creek, a “major waterway” northerly through the conveyance area. The BLM also determined Throat Creek navigable through the conveyance area, from river mile 0 to river mile 1.2, under the criteria of “susceptibility to travel trade and commerce.”<sup>8</sup> (Attachment 5)

Ann Johnson, the BLM Chief of the Branch of ANCSA Adjudication, issued a DIC on September 30, 1982 for lands selected by TKC. Selected lands through which Throat Creek flows include Secs. 1-6, T. 15 N., R. 61 W., SM., Secs. 1-6, 7-9, 16-18, 19-21, 28-30, and Secs. 31-33, T. 15 N., R. 63 W., SM. The BLM determined Throat Creek navigable in Secs. 16 and 9, T. 15 N., 63 W., SM, as depicted on maps issued with the DIC.<sup>9</sup> (Attachment 6)

On September 30, 1983, Ann Johnson, the BLM Chief of the Branch of ANCSA, issued IC No. 745 for lands selected by TKC as identified in the DIC from the previous year. The BLM conveyed the subsurface estate to the Calista Corporation in IC No. 746. Navigable waters were identified on maps issued with the ICs. Throat Creek was identified as navigable from within the conveyance area from river mile 0 to river mile 1.2.<sup>10</sup> (Attachment 7)

Ann Johnson, BLM Chief- Branch of Calista Adjudication, issued a Tentative Approval (TA) to the State of Alaska for lands selected in T. 15 N., R. 63 W., SM, on August 5, 1987. The BLM deferred navigability determinations until patent.<sup>11</sup> (Attachment 8)

On May 8, 1989, Wayne A Boden, BLM Deputy State Director for Conveyance Management, issued a memorandum on navigable waters in Group Survey 245 (Window 1834). Boden

determined Throat Creek navigable from river mile 1.2 to river mile 8.5 and from river mile 14.1 to river mile 16.8. This BLM determination was based on the criteria that it was navigable by crafts larger than a one-person kayak at the time of Statehood; NASA photographs of the river; and information George Morgan, Jr., a local Native resident, provided in a 1988 interview with BLM Realty Specialist, Edgar A. Earnhart.<sup>12</sup> (Attachment 9)

Jerry B. Lewis, BLM Chief of Survey Preparation and Navigability Section, issued a memorandum for Navigable Waters within ANCSA-selected and ICd lands in the Lower and Upper Kalskag Project Area on January 15, 2004. Lewis identified and summarized navigable waters on certain public lands surrounded by pending ANCSA selections in the Lower and Upper Kalskag Project Area. In the appendix he listed the Master Title Plats (MTPs) for land selections and their navigable waters referring to dates of prior BLM navigability determinations. Lewis identified Throat Creek as navigable in Secs. 9-12 and 4-16, T. 15 N., R. 63 W., SM, citing a report from May 8, 1989. In T. 15 N., R. 62 W., SM, Lewis identified no navigable waters. However, the report from May 8, 1989 determined Throat Creek navigable in Secs. 3 and 4, T. 15 N., R. 62 W., SM.<sup>13</sup> (Attachment 10)

On July 29, 2005, K.J. Mushovic, BLM Land Law Examiner, Branch of Adjudication II, issued a Notice of Intent to Issue Patent for lands described in IC Nos. 745 and 746 on September 30, 1983. The document did not address navigability.<sup>14</sup> (Attachment 11) On September 7, 2005, Richard Thwaites, the BLM Chief of the Branch of Land Transfer Services, issued Patent No. 50-2005-0430 to TKC for the surface estate and Patent No. 50-2005-0431 to the Calista Corporation for the subsurface estate in lands described in IC Nos. 745 and 746 respectively. The patent documents did not address navigability.<sup>15</sup> (Attachment 12)

Navigability determinations for Throat Creek are shown in Figure 3 and summarized in Table 1. The BLM has determined Throat Creek navigable from its mouth to river mile 1.2 and from river mile 15.2 to river mile 17. Throat Creek has been meandered and segregated within Secs. 9-12, 16 T. 15 N., 63 W., SM.<sup>16</sup> (Attachment 13) The remainder of Throat Creek has not been meandered and segregated.<sup>17</sup> (Attachment 14)

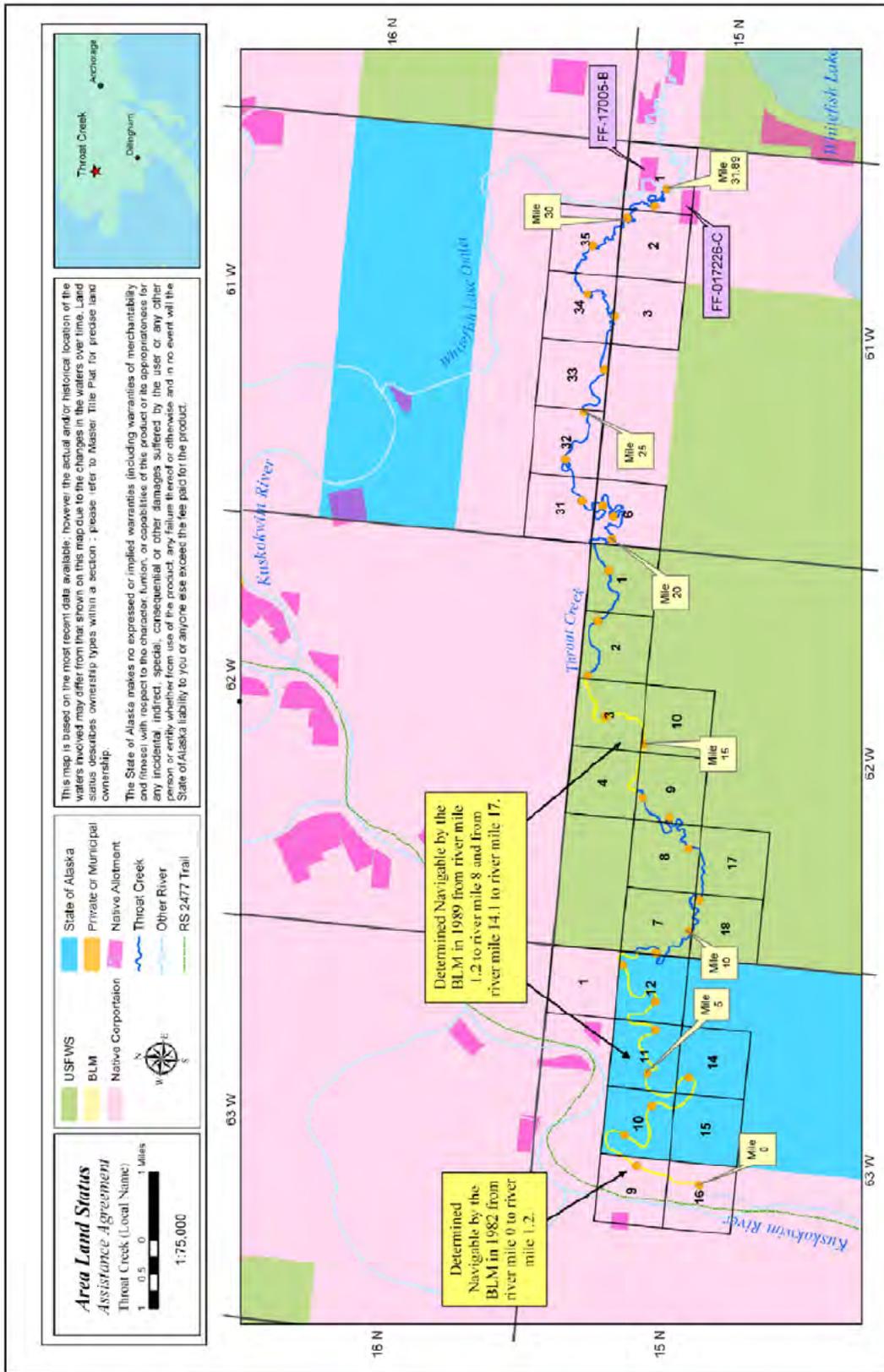


Figure 3. Map of Throat Creek showing BLM Navigability Determinations

**Table 1. Navigability Determinations for Throat Creek**

<b>Date</b>	<b>River Section</b>	<b>Type, Decision and Substance</b>	<b>Criteria</b>
8/20/82 (Attachment 4)	Lower	Amended easement recommendations stated that a trail easement is not needed since access to public land and resources can be gained using “navigable Throat Creek (local place name).”	None
8/ 25/82 (Attachment 5)	Lower	Throat Creek determined navigable through the conveyance area. From river mile 0 to river mile 1.2	Susceptibility to travel, trade and commerce
5/8/89 (Attachment 9)	Lower and Middle	Throat Creek determined navigable from river mile 1.2 to river mile 8 in T. 15 N., R. 63 W., SM., and from river mile 14.1 to river mile 17 in T. 15 N., R. 62 W., SM.	Navigable by crafts larger than a one-person kayak at the time of Statehood.
1/15/04 (Attachment 10)	Lower	Summary of previous navigability determinations identified Throat Creek navigable from river mile 0 to river mile 8 in T. 15 N., R. 63 W., SM. No navigable waters in T. 15 N., R. 62 W., SM.	None

#### **IV. Physical Character of the Waterway**

Throat Creek is a low gradient stream that courses through and around numerous small lakes and increasingly wooded land as it approaches the Kuskokwim River. The creek is narrow in its upper reach where, in aerial photography, it appears filled with vegetation. The width of the creek varies from 12 to 25 feet in its middle reaches. The lower reach of the creek is 60 to 100 feet wide near the confluence with the Kuskokwim River.<sup>18</sup> A local Native resident described the creek as 20-35 feet wide and usable in the spring and rainy periods all the way to the portage to Whitefish Lake Outlet.<sup>19</sup>

Throat Creek is located within the transitional climate zone, which is between the maritime and continental climatic zones. This transition zone in the Kuskokwim Delta area extends 100 to 150 miles inland. Precipitation averages 19 inches in the area near Upper and Lower Kalskag Villages, with snowfall of 60 inches. Temperatures range from 87 degrees Fahrenheit (F) to 42 ° F in the summer and -55 ° F in the winter.<sup>20</sup> There is no known hydrological information available on for Throat Creek. Throat Creek appears to be in its natural and ordinary condition since the time of statehood.

## V. Evidence of Use of the Waterway

### *Early Native Use of Throat Creek*

Human occupation of the Kuskokwim area goes back 11,000 years to nomadic hunters of Pleistocene animals. These hunters were supplanted about 1,900 B.C., when Eskimos from the north moved into the lower Kuskokwim drainage, bringing with them the so-called Arctic Small Tool tradition.<sup>21</sup> Permanent occupation of the interior Kuskokwim Delta with chronological continuity began about AD 600.<sup>22</sup> The *Kusquqvagmiut*, who descended from the Eskimos and are known as Yup'ik Eskimos or mainland southwest Alaskan Eskimos, have inhabited the Kuskokwim River and its tributaries down to the present as far inland as the village of Aniak. By 1880, their population was estimated at 3,100.<sup>23</sup>

The *Kusquqvagmiut* have lived a traditional subsistence lifestyle that spans many centuries. Subsistence is a form of production and consumption in which hunting, fishing and collecting plants are the primary sources of food and other necessities of life. Traditional Alaska Native subsistence practices involve harvesting, distributing and consuming resources. These activities include important social and religious components, one of the most important of which is the distribution and exchange of subsistence products within families, between families and bands, and with Native groups outside their territory. Each Native culture in Alaska has its own set of customs and values governing the transfer of subsistence goods, falling into categories such as ceremonial, sharing, partnership, trade and commercial exchange. The cultural values that promote ceremonial feasting and distribution of subsistence resource goods have persisted in all Alaska Native groups.<sup>24</sup>

As contact with Russian fur traders and American missionaries, traders and miners increased in the nineteenth and twentieth centuries, the Native subsistence system of distribution and exchange gradually changed. While the *Kusquqvagmiut* continued to sustain themselves through their hunting, fishing, and gathering efforts, their involvement in the fur trade brought about significant changes.<sup>25</sup> Contact with American traders increased the interaction between subsistence production and commercial exchange, including the sharing and trading of commercial and subsistence goods.<sup>26</sup>

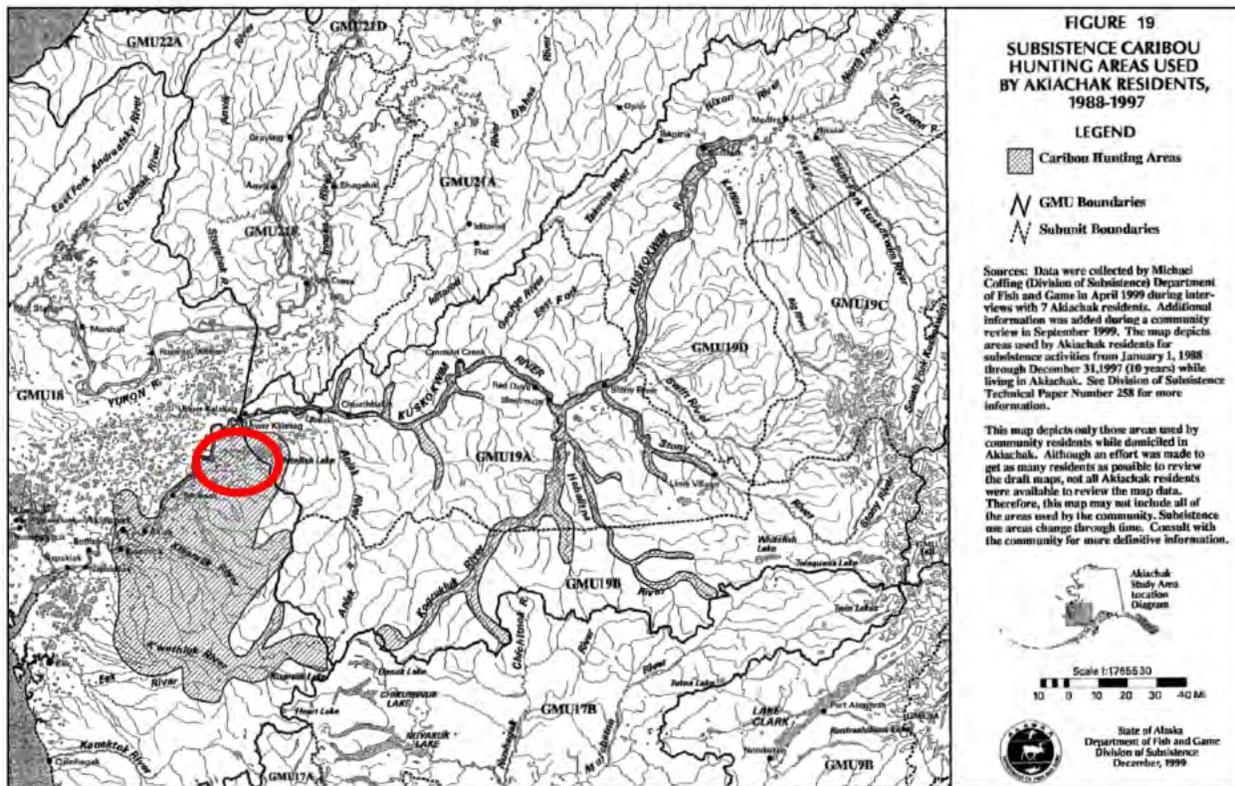
The *Kusquqvagmiut* traveled by water craft to harvest and transport subsistence resources to their village sites and to distribute them to other groups.<sup>27</sup> They used canoes to travel up the tributaries of the Kuskokwim River to fish for salmon, hunt and gather berries. Tributaries of the Kuskokwim enhanced the mobility of travelers and provided extensive access deep into the adjacent countryside. Villages and seasonal camps were dispersed along the Kuskokwim River and its tributaries. Over time these villages and campsites were abandoned as Natives moved to villages where missionary schools had been established.<sup>28</sup>

According to oral history, the river outlet on the north shore of Whitefish Lake is called *Igyaraq*. There was a village there called *Igeyakhuk*. In 1900 it was a year round residence for two or three families. Additional families would sometimes winter there when food was scarce.<sup>29</sup> Two Native allotments are located near the Whitefish Lake Outlet, near the head of Throat Creek, AA-017226 and AA-170005-B. The applicants did not use Throat Creek to access their parcels.

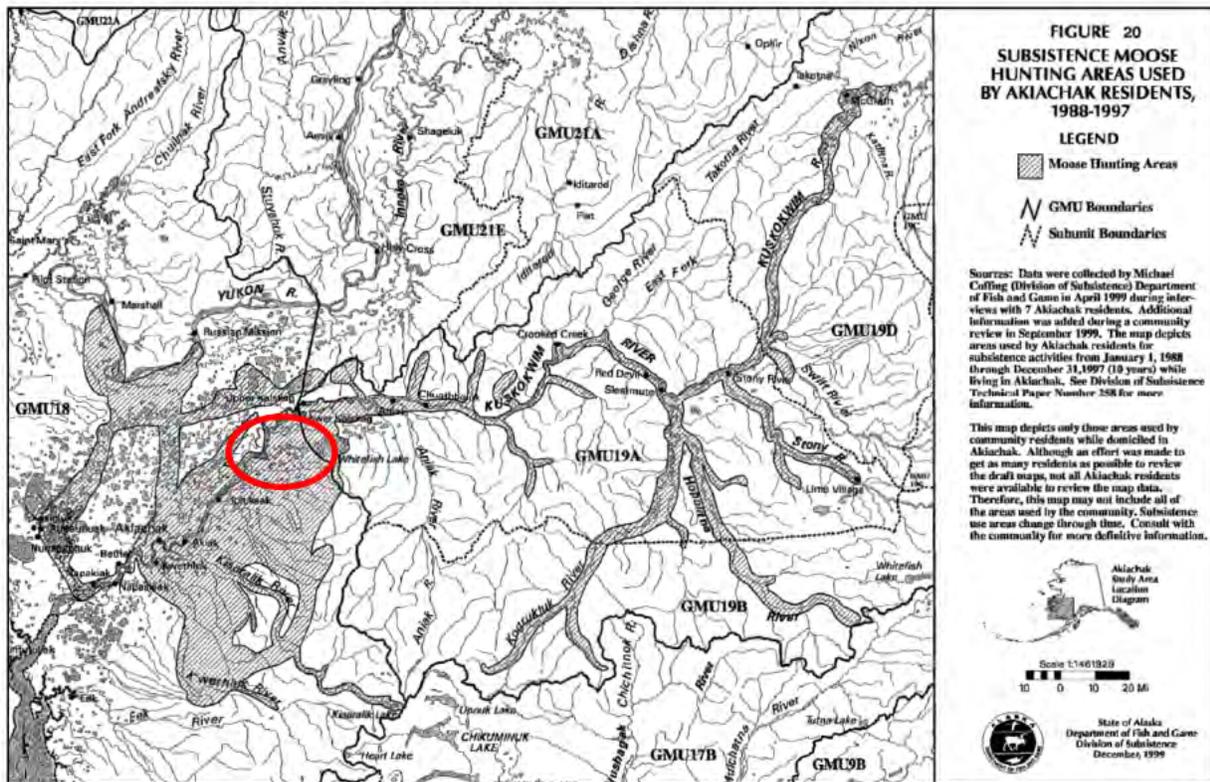
*BLM Interviews with locals and ADF&G Subsistence Report*

On August 4, 1988, Edgar A. Earnhart, a BLM Realty Specialist, issued a memorandum on Interviews for Group Survey 254. This document summarized interviews Earnhart conducted with locals familiar with river use for the selection area. Earnhart interviewed George Morgan Jr. of Upper Kalskag about boat use on Throat Creek. Morgan said that “Throat Creek is boatable [sic] every spring and in times of high water, all the way to the portage in Sec. 1, T. 15 N., R. 61 W., SM.” Morgan also described Throat Creek as a “twenty-five to thirty feet wide and usable in the spring and rainy periods to near the outlet to Whitefish Lake where a short portage is necessary to reach the outlet.”<sup>30</sup> (Attachment 15)

In 2001 ADF&G published a study *The Subsistence Harvest and Use of Wild Resources in Akiachak, Alaska, 1998*. Residents of Akiachak travel by boat to access the ADF&G Game Management Unit (GMU) #19 for caribou hunting during the late summer and fall. “Extreme low water during the fall season can make access to portions of some of these rivers and associated tributaries difficult,” according to the ADF&G report. “Akiachak hunters are especially adept at finding their way around or over shallow areas.”<sup>31</sup> Akiachak residents also hunt for moose in GMU #19 primarily during late summer and fall time when the area is accessible by boat.<sup>32</sup> Throat Creek is included in the areas indicated as caribou and moose hunting areas by local Natives on maps published in the report (Figures 4 and 5).<sup>33</sup>



**Figure 4. ADF&G map of areas used by Akiachak residents for caribou hunting in the late summer and fall when access to the GMU #19 is by boat. Throat Creek is indicated by the red circle.**



**Figure 5. ADF&G map of areas used by Akiachak residents for moose hunting in the late summer and fall when access to the GMU #19 is by boat. Throat Creek is indicated by the red circle.**

## VI. Summary

Throat Creek is 32 river miles long and is a tributary of the Kuskokwim River. The BLM determined Throat Creek navigable in the 1980s and in 2004 from river mile 0 to river mile 8 and from river mile 14.1 to river mile 17. Throat Creek appears to be its natural and ordinary condition since the time of statehood.

Two Native allotments are located near Throat Creek, but the creek is not reported to be the access route to the parcels. An interview conducted by the BLM with a local Native from Upper Kalskag stated that every spring and in times of high water a boat can be taken all the way up Throat Creek to the portage to the Whitefish Lake Outlet. The BLM described the upper reach of Throat Creek as obscured by brush and filled with vegetation. Information gathered by the ADF&G from residents of Akiachak indicate that Natives travel in the area of Throat Creek by boat to access hunting areas for moose and caribou. In the fall low water can make travel on some tributaries such as Throat Creek difficult.

## Endnotes

---

- <sup>2</sup> Orth, Donald J. *Dictionary of Alaska Place Names*. USGS Professional Paper 506. Washington, D.C., 1971, and <http://geonames.usgs.gov/domestic/>
- <sup>2</sup> Dennis Griffin, *Report of Investigation for Nanvarmiullret, Calista Corporation BLM AA-11665*, Bureau of Indian Affairs, ANCSA Office, Anchorage, p.6, and Wendell H. Oswalt, *Historic settlements along the Kuskokwim River, Alaska*, Alaska State Library Historical Monograph, 1980, p. 42.
- <sup>3</sup> David S. Case and David A. Voluck, *Alaska Natives and American Laws*, University of Alaska Press, Fairbanks, 1984, p. 109.
- <sup>4</sup> Horace D. Sanders, BLM Natural Resource Specialist, Memorandum Task Force Meeting on the Lower Kalskag, April 21, 1976, BLM files, F-14888-EE.
- <sup>5</sup> Marty Karstetter and Paul Johnson, BLM Realty Specialist, Memorandum for Meeting held with TKC Concerning Lands Near Stony River, Sleetmute, Red Devil, Georgetown, Crooked Creek, Napaimute, Russian Mission, Aniak, Upper Kalskag, and Lower Kalskag, May 17, 1982, BLM files, F-1488-EE.
- <sup>6</sup> Edward McNamara, TKC Resource Manger, letter to Bob Arnold, BLM Assistant State Director for ANCSA, July 9, 1982, BLM files, F-14888-A.
- <sup>7</sup> Robert Faithful for Robert D Arnold, BLM Assistant to the State Director for Conveyance Management, letter to Mr. Glenn Fredericks of TKC, August 20, 1982, BLM files, F-1488-EE.
- <sup>8</sup> Robert D. Arnold, BLM Assistant to the State Director for Conveyance Management, Final Easements Memorandum for TKC for the Village of Lower Kalskag, August 25, 1982, BLM files,
- <sup>9</sup> Ann Johnson, BLM Chief of the Branch of ANCSA Adjudication, DIC, September 30, 1982, BLM files, F-14888.
- <sup>10</sup> Ann Johnson, BLM Chief, Branch of ANCSA Adjudication, IC Nos. 745 and 746, September 30, 1983, BLM files, F-14888.
- <sup>11</sup> Ann Johnson, BLM Chief of the Branch of Calista Adjudication, Tentative Approval to the State of Alaska, BLM files, AA-12877.
- <sup>12</sup> Wayne A. Boden, BLM Deputy State Director for Conveyance Management, Memorandum on Navigable Waters in Group Survey 254, May 8, 1989, BLM files, F-14888-EE.
- <sup>13</sup> Jerry B. Lewis, BLM Chief, Survey Preparation and Navigability Section, Memorandum on Navigable Waters within ANCSA-Selected and IC Lands in the Lower and Upper Kalskag Project Area (CANA-1 Calista Region), January 15, 2004, BLM files, FF-14888-EE.
- <sup>14</sup> K.J. Mushovic, BLM Land Law Examiner, Intent to Issue Patent, July 29, 2005, BLM files, F-14888-EE.
- <sup>15</sup> Richard Thwaites, BLM Chief Branch of Land Transfer Services, Patent, September 7, 2005, BLM files, F-14888-EE.
- <sup>16</sup> MTP, T. 15 N., 63 W., SM.
- <sup>17</sup> MTPs. Tps. 15-16 N., R. 61 W., and T. 15 N., R. 62 W., SM.
- <sup>18</sup> Wayne A. Boden, BLM Deputy State Director for Conveyance Management, Memorandum on Navigable Waters in Group Survey 254, pp. 4-5, May 8, 1989, BLM files, F-14888-EE.
- <sup>19</sup> Edgar A. Earnhart, BLM Realty Specialist, Interviews for Group Survey 254, August 4, 1988, BLM files, F-14888-EE.
- <sup>20</sup> "Upper Kalskag," Alaska Community Database Community Information Summaries, on the web at <http://www.comerce.state.ak.us/dca/commdb/CIS.cfm>.
- <sup>21</sup> James W. Vanstone, "Mainland Southwest Alaska Eskimo," in *Handbook of North American Indians, Volume V, Arctic*, David Damas, editor, Smithsonian Institute, Washington, D.C., 1984, pp. 227-229.
- <sup>22</sup> Robert D. Shaw, *Cultural Resources Survey Preceding Construction of a Water and Sewer System in Kwethluk, Alaska*, a report done under contract to the Alaska Native Tribal Health Consortium, Anchorage, 2002, p. 10.
- <sup>23</sup> Vanstone, "Mainland Southwest Alaska Eskimo," pp. 227-229.
- <sup>24</sup> Steve Langdon and Rosita Worl, *Distribution and Exchange of Subsistence Resources in Alaska*. Alaska Department of Fish and Game Technical Paper Number 55, Arctic Environmental Information and Data Center, University of Alaska, Anchorage, 1981, pp. ii, 1.
- <sup>25</sup> Vanstone, "Mainland Southwest Alaska Eskimo," p. 299.
- <sup>26</sup> Langdon and Worl, *Distribution and Exchange of Subsistence Resources in Alaska*, pp. 28 and 96.
- <sup>27</sup> Vanstone, "Mainland Southwest Alaska Eskimo," p. 299.

---

<sup>28</sup> Wendell H. Oswalt, *Bashful No Longer, An Alaskan Eskimo Ethnohistory, 1778-1988*, University of Oklahoma Press, Norman, 1990, pp. 8-9.

<sup>29</sup> Dennis Griffin, *Report of Investigation for Nanvarmiullret, Calista Corporation BLM AA-11665*, Bureau of Indian Affairs, ANCSA Office, Anchorage, p.6, and Oswalt, *Historic settlements along the Kuskokwim River, Alaska*, 1980, p. 42.

<sup>30</sup> Edgar A. Earnhart, BLM Realty Specialist, Interviews for Group survey 254, August 4, 1988, BLM files, F-14888-EE.

<sup>31</sup> Michael W. Coffing, Louis Brown, Gretchen Jennings and Charles J. Utermohle, *The Subsistence Harvest and Use of Wild Resources in Akiachak, Alaska 1998*, Technical Paper No. 258, ADF&G, Division of Subsistence, November 2001, p. 89.

<sup>32</sup> Ibid.

<sup>33</sup> Ibid.

**Office of History and Archaeology**  
**NAVIGABLE WATERS RESEARCH REPORT SERIES**

**Completed to date**

**These reports are available in PDF format on the State of Alaska website at**

<http://www.dnr.state.ak.us/mlw/nav/naar/>

- No. 1 Buzzell, Rolfe G. *Kisaralik River System (Including interconnected slough and Kisaralik Lake) HUC 30502, Zone 2, Kuskokwim River Region, Final Summary Report.* Phase IV Submission, for the BLM/State Assistance Agreement Program, Office of History and Archaeology Navigable Waters Research Report No. 1, Alaska Department of Natural Resources, Anchorage, January 15, 2010.
- No. 2 Buzzell, Rolfe G. *Kwethluk River, HUC 30502, Zone 2, Kuskokwim River Region, Final Interim Summary Report,* Office of History and Archaeology Navigable Waters Research Report No. 2, Alaska Department of Natural Resources, Anchorage, June 29, 2010.
- No. 3 Shoaf, Edwin. *Kuskokwak Creek, HUC 30502, Zone 2, Kuskokwim River Region, Final Interim Summary Report,* Office of History and Archaeology Navigable Waters Research Report No. 3, Alaska Department of Natural Resources, Anchorage, June 29, 2010.
- No. 4 Shoaf, Edwin. *Tungak Creek, HUC 30502, Zone 2, Kuskokwim River Region, Final Interim Summary Report,* Office of History and Archaeology Navigable Waters Research Report No. 4, Alaska Department of Natural Resources, Anchorage, June 29, 2010.
- No. 5 Shoaf, Edwin. *Columbia Creek, HUC 30502, Zone 2, Kuskokwim River Region, Final Interim Summary Report,* Office of History and Archaeology Navigable Waters Research Report No. 5, Alaska Department of Natural Resources Anchorage, July 22, 2010.
- No. 6 Dorsey, Janine. *Arolik River, HUC 30501, Zone 2, Kuskokwim River Region, Final Interim Summary Report,* Office of History and Archaeology Navigable Waters Research Report No. 6, Alaska Department of Natural Resources, Anchorage, August 3, 2010.
- No. 7 Shoaf, Edwin. *Kasigluk River, HUC 30502, Zone 2, Kuskokwim River Region, Final Interim Summary Report,* Office of History and Archaeology Navigable Waters Research Report No. 7, Alaska Department of Natural Resources, Anchorage, August 10, 2010.
- No. 8 Buzzell, Rolfe G. and Amy Russell. *Kanektok River System, HUC 30502, Zone 1, Kuskokwim River Region, Final Interim Summary Report,* Office of History and Archaeology Navigable Waters Research Report No. 8, Alaska Department of Natural Resources, Anchorage, October 7, 2010.
- No. 9 Buzzell, Rolfe G. and Chris Chambers. *Tuluksak River System, HUC 30502, Zone 3, Kuskokwim River Region, Final Interim Summary Report,* Office of History and Archaeology Navigable Waters Research Report No. 9, Alaska Department of Natural Resources, Anchorage, October 7, 2010.
- No. 10 Shoaf, Edwin. *Akulikutak River, HUC 30502, Zone 2, Kuskokwim River Region, Final Interim Summary Report,* Office of History and Archaeology Navigable Waters Research Report No. 10, Alaska Department of Natural Resources, Anchorage, October 19, 2010.
- No. 11 Lantz, Nicole. *Slate Creek, HUC 30502, Zone 1, Kuskokwim River Region, Final Interim Summary Report,* Office of History and Archaeology Navigable Waters Research Report No. 11, Alaska Department of Natural Resources, Anchorage, October 19, 2010.
- No. 12 Lantz, Nicole. *Tivyagak Creek, HUC 30502, Zone 1, Kuskokwim River Region, Final Interim Summary Report,* Office of History and Archaeology Navigable Waters Research Report No. 12, Alaska Department of Natural Resources, Anchorage, December 21, 2010.
- No. 13 Shoaf, Edwin. *Eenayarak River and Eek Lake, HUC 30502, Zone 2, Kuskokwim River Region, Final Interim Summary Report,* Office of History and Archaeology Navigable Waters Research Report No. 13, Anchorage, Alaska Department of Natural Resources, February 23, 2011.

## OHA Navigable Waters Research Report Series, continued:

- No. 14 Buzzell, Rolfe G. *Goodnews River System (Including the Middle and South Forks of Goodnews River)*, HUC 30502, Zone 1, Kuskokwim River Region, *Final Interim Summary Report*, Office of History and Archaeology Navigable Waters Research Report No. 14, Alaska Department of Natural Resources, Anchorage, June 8, 2011.
- No. 15 Shoaf, Edwin. *Little Bogus Creek and Yukaniluk Creek*, HUC 30503, Zone 2, Kuskokwim River Region, *Final Interim Summary Report*, Office of History and Archaeology Navigable Waters Research Report No. 15, Alaska Department of Natural Resources, Anchorage, June 29, 2011.
- No. 16 Lantz, Nicole. *Ophir Creek*, HUC 30502, Zone 3, Kuskokwim River Region, *Final Interim Summary Report*, Office of History and Archaeology Navigable Waters Research Report No. 16, Alaska Department of Natural Resources, Anchorage, June 29, 2011.
- No. 17 Lantz, Nicole. *Putu and Mogak Creeks*, HUC 30502, Zone 4, Kuskokwim River Region, *Final Interim Summary Report*, Office of History and Archaeology Navigable Waters Research Report No. 17, Alaska Department of Natural Resources, Anchorage, August 30, 2011.
- No. 18 Lantz, Nicole. *Kinegnak and Unaluk Rivers*, HUC 30502, Zone 1, Kuskokwim River Region, *Final Interim Summary Report*, Office of History and Archaeology Navigable Waters Research Report No. 18, Alaska Department of Natural Resources, Anchorage, September 14, 2011.
- No. 19 Dorsey, Janine. *Eek River System*, HUC 30502, Zone 2, Kuskokwim River Region, *Final Interim Summary Report*, Office of History and Archaeology Navigable Waters Research Report No. 19, Alaska Department of Natural Resources, Anchorage, September 14, 2011.
- No. 20 Lantz, Nicole. *Discovery Creek System (Including Unnamed Leftbank Tributary of Discovery Creek and Slough near Mouth of Discovery Creek)*, HUC 30502, Zone 3, Kuskokwim River Region, *Final Interim Summary Report*, Office of History and Archaeology Navigable Waters Research Report No. 20, Alaska Department of Natural Resources, Anchorage, September 14, 2011.
- No. 21 Lantz, Nicole. *Throat Creek*, HUC 30502, Zone 3, Kuskokwim River Region, *Final Interim Summary Report*, Office of History and Archaeology Navigable Waters Research Report No. 21, Alaska Department of Natural Resources, Anchorage, October 5, 2011