•Editorial

Critical thoughts on BLM interim management of Native-selected lands

The conflict between Cook Inlet village and regional selections and the Susitna River dam project raises several questions worthy of thought.

During the overly long implementation of the land claims act, it has been the policy of the Bureau of Land Management to require letters of non-objection from Native corporations before approving projects on federal land selected by Native groups under the act.

Apparently there is a catch. Although none of the Native corporations involved in the Susitna land issue, including Cook Inlet Region, Inc., have submitted letters of non-objection to the issuance of a permit to the Corps of Engineers for soil testing in the area, BLM has decided it will issue the permit anyway because it claims the broader public interest will best be served by this energy project going forward.

We agree with BLM that there will be many opportunities farther down the line to halt the dam project if Native land rights cannot be peacefully accomodated while the Corps carries out engineering studies for a year or so. But we are well aware of the tendency of many bureaucratic agencies to regard the first step in a construction project as the point of no return. Sure, the soils testing may only be preliminary, but with the sinking of the first test drill into Susitna soil, you will notice a gleam in the eyes of a small group of dam devotees who will stop at virtually nothing to see the project through to the bitter end.

In the meantime, the Natives are forced into lengthy and costly litigation in order to reassert land rights that were supposed to have been firmly established in 1971. This is so unjust on its face that it should require no further comment. Native corporations have paid dearly for the act already.

We cannot believe that the letter of non-objection policy prior to approval of any public use of Native-selected lands was to be a mere formality, to be lightly whisked aside. It was established because it is right that Native corporations, on the verge of receiving long-awaited title to their land, should have some say in the management of those lands while BLM waddles through its nightmarish implementation process.

The breakdown of BLM's non-objection letter policy argues strongly for the federal land interim management plan advocated by the Alaska Federation of Natives. Under this plan, land management during the Alaska d-2 debate and land claims conveyance would be carried out under policies that would protect the rights of Native people against the arbitrary invocation of a questionable public interest.

Another, more subtle, issue raised by the Susitna project, is the relationship between Alaska Native regional and village corporations. The question was raised by Chickaloon-Moose Creek attorney Edgar Paul Boyko, who asserted that village corporations involved in the Susitna dam conflict might do better going to Congress for relief on their own. In his view, it does not necessarily make sense for the region to give the villages lands it feels are equal in value to those proposed for inundation by the dam and then lobby Congress for payment for lands lost by the region, or additional acreage in the amount under water, especially when the villages surrender two waterlogged acres for every acre they ultimately receive.

It is not our intention to comment on the merits of the land deal proposed by Cook Inlet Region, Inc. However, we do feel that the right of village corporations to wheel and deal on their own should be firmly established. We are aware that the ability of many village corporations to wheel and deal successfully is still in the early stages of growth. It is our thinking that the suggestion made by Boyko argues strongly for an idea that villages in the Doyon region have successfully put into practice: The Interior Village Association.

This organization, initially drawing on talent recruited from the regional corporation, was set up to provide ongoing technical, legal and investment assistance to Doyon villages. The assistance is packaged in several different formats and sold to participating villages who also pay a modest fee to pay the overhead. Naturally, such an organization has speeded the growth of managerial capability among the village corporations, without impinging on their independence of action and decision.

In addition, the association provides a non-political pressure chamber where regional-village conflicts, of even the most obscure nature, can be de-pressurized and dealt with cooly and objectively.

The Interior Village Association is not a cure-all, and Cook Inlet and its villages may not be headed for a clash, but villages, being the basic, irreducible foundation of Native socio-economic organization, have the right to self-direction and the ability of villages to make good solid decisions in a dizzy, dynamic, political world could be greatly enhanced by the formation of their own association.

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