

Sorting out the D-2 Bills is not easy

By SUE GAMACHE
Managing Editor

The passage of the Alaska Native Claims Settlement Act (ANCSA) marked the beginning of a land distribution process that has drawn proposals for land ownership and management from various interest groups both within and outside the state. One of the more controversial aspects of this distribution process concerns section 17 (d) (2) of ANCSA which authorizes the Secretary of the Interior to withdraw up to 80 million acres for study and recommendation to Congress for possible additions to national wildlife refuges, parks, and wild and scenic rivers. Because certain parts of the state are important for possible development as well as preservation, developers, conservationists and Native Interest Groups are battling over many of the same areas. Each group has a different opinion on what kind of reserves should be established, how large they should be, and who will manage them, and just who will benefit from such management.

ANCSA established a five year time period from the time of the Secretary's recommendations during which

d(2) provision discussed

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time Congress would act on the d2 land question. This period will be up on December 17, 1978, but Congress has the option of extending the deadline if it chooses. Another provision of section 17 of ANCSA created the Joint Federal-State Land Use Planning Commission for Alaska. FSLUPC was given the responsibility of making recommendations concerning areas planned and best suited for permanent reservation in Federal ownership as parks, game refuges, and other public uses. A resource planning team, composed of interdisciplinary team of resource specialists, and its Citizen Advisory Committee compiled knowledge of Alaska from its own membership, on-site inspection of the major areas; staff and contract study and analysis; as well as many public hearings in urban and rural locations in Alaska and in San Francisco, Washington, D.C., Denver, and Seattle have been the foundation for the Commission's work.

At one time there were nearly a dozen d2 bills before Congress. In addition to these regional Native corporations were drafting their own proposals, as they seemed to be waiting to see if they could support a unified statewide proposal before proceeding with plans of their own. The following d2 bills have been introduced since the first of this year.

The Alaska Conservation Act of 1977 (S499) is composed of the original recommendations of former Interior Secretary Rogers Morton. It calls for 83 million acres to be divided among the four land management agencies. These lands would be managed under the traditional policies of each agency, however, there are provisions for some joint management of reserves by National Park Service and Fish and Wildlife and the Bureau of Land Management. Under this act subsistence hunting would continue in areas where it is now practiced.

UDALL BILL

The Alaska National Interest Land Conservation Act (HB 39) and (S500) has been introduced by Representative Morris Udall and Senator Henry Jackson. This bill would add 114 million acres to the National Parks, National Wildlife Refuge, and Wild and Scenic River Systems. The president of the U.S. has the authorization under this act to add lands by executive order to the Chugach and Tongass National Forests. Subsistence Boards made up of subsistence users would be set up to issue subsistence use permits.

In a copyrighted Tundra Times article on April 20, 1977, it was revealed that the Alaska Federation of Natives has decided not to develop their own d2 legislation, but instead seek amendments to the bill introduced by Morris Udall of Arizona. AFN President Byron Mallott said that their board of directors feels that Congress will use the Udall bill as a starting point in its efforts to classify millions of acres of public interest lands in Alaska. In a previous Tundra Times article AFN President Byron Mallott pointed out that subsistence is the federation's primary concern. At d2 meetings in Anchorage in February, Mallott and AFN representatives Emil Notti, John Schaeffer, and Art Davidson told the Alaska Congressional Delegation and Alaska Governor Jay S. Hammond that d2 legislation "must clearly establish subsistence as the priority use of fish and wildlife; and offer protection and sound resources and habitat."

SUBSISTENCE PROTECTION

Mallott went on to tell the delegation that d2 legislation must be consistent with the Senate-House Conference Committee report on ANCSA which says that all Native interests in subsistence resource lands can and will be protected by the Secretary of the Interior.

Members of the Alaska Environmental organizations in the Alaska Coalition also support the Udall d2 measure which it feels best represents diverse and varied landscapes, habitats, wildlife populations and high quality scenic and recreational lands. Members now in the Alaska coalition according to an article in the Anchorage Daily News on March 22, 1977, include the Alaska Center for the Environment, Fairbanks Environmental Center, Alaska Conservation Society, Brooks Range Trust, Denali Citizens Council, Trustees for Alaska, Anchorage and Juneau Chapters of the National Audubon Societies, Interior Alaska Branch of the Friends of the Earth, Alaska chapter of the Sierra Club, and Alaskan members of the Wilderness Society, as well as Alaska members of the Defenders of Wildlife, Federation of Western Outdoors Clubs, National Parks and Conservation Association and the American Rivers Conservation Council.

The coalition feels that just as lands developed will presumably provide something of an economic stability for Alaska's, so will those preserved represent land term economic interest—as American wildlands become the rarest commodities, Alaska's "unpeopled" spaces will become jewels beyond any price to those who live in the future Alaska. They feel that the most important aspect of the Udall proposal is that it was drafted in Alaska. According to them, "the range of input in the selection areas, boundaries and proposed administrative procedures which are found in the Udall measure are as Alaskan as they could be."

In the spring 1977 Washington Report, U.S. Congressman Don Young said that "the Udall bill promises to be the pivotal point of the battle that will be fought over the d2 issue." He emphasized that it is necessary that we know the values of these areas before we set them aside forever in single-use categories as the Udall bill proposes. Young went on to say that "while it is very important to preserve Alaska's scenic and environmental areas, it is vital to the energy independence of our nation to develop the resources of our state." Concerning the subsistence board that the Udall Bill proposes, Young feels that the federal government in an effort to protect the land and resources would once again create an administrative monster.

OMAR RESOLUTION

Resolutions adopted by the Organization for the Management of Alaska's Resources, Inc. on March 25, 1977 stated that in order to facilitate the disposition of these lands for the greatest benefit to the people of Alaska the following guidelines should be observed.

(1) The legal right of the state to select land under the contractual terms of the Alaska Statehood Act should not be impeded and these selections should receive priority over any later actions taken by Congress involving Alaska's lands; (2) the legal right of Alaska's Natives to select land granted them in ANCSA should reserve priority over any later actions taken by Congress involving Alaska's lands; (3) the amount of land to be withdrawn should not exceed the 80 million acres established by Congress; (4) a forthright and positive attitude should be adopted regarding the lands selected for withdrawal to increase the land's benefits to Alaskans through its optimum and multiple use; and (5) a thorough survey should be taken of the mineral, scenic, environmental, and renewable resource potential of all lands before their withdrawal under the d2 provision.

LUPC PROPOSAL

The FSLUPC outlined its recommendations for d2 lands in a news release issued April 19, 1977. Their new plan if adopted by Congress would expand the National Systems of Parks, Forest, Wildlife Refuges and Wild and Scenic Rivers in Alaska and create a new system called "Alaska National Lands." The Commission's recommendations on d2 lands culminates several years of detailed study, meetings, and public hearings in Alaska and key U.S. cities, and cover a broad range of issues related to the long term needs of the nation. According to the release, "Alaska National Lands would be selected for their wild and scenic values, but would be open to hunting, fishing, trapping, and recreational-subsistence use as soon as they are created by Congress."

The LUPC has recommended that approximately 44 million acres of land in Alaska be placed in the National Parks, Forest, Refuge, and Wildlife and Scenic River System, and an additional 46.7 million be put under the "Alaska National Lands" category for a total of 90 million acres. They have also recommended that Congress establish a new Joint Federal-State Commission to study and decide how these other federal lands should be classified and used. A joint commission such as this, according to the release, would provide the State, the Natives and others with an excellent opportunity to coordinate their land use plans with the Federal government and would provide an opportunity for State input into how these lands would be used.

HASTY PROPOSAL

Governor Hammond, U.S. Sen. Ted Stevens, and U.S. Representative Don Young unveiled a proposal in late March of 1977 dealing with "national interest" d2 lands. The number of acres designated for each federal system according to Hammond, is bound to change at the hands of Congress from the Alaska leadership proposal, but the concepts hopefully will survive. The concepts include allowing 33 years for study before any placement

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D-2 options are unsettled . . .

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must be made, establishing an Alaska Land Classification Commission to do the studies and make recommendations for management of the land in the interim possibly by Native corporations and by the the federal government for cooperative management of certain lands.

The major provision of the HAMMOND STEVENS, Young (HASTY) consensus would set aside less than 25 million acres in "several d2 core ares" administered by the National Park Service, U.S. Forest Service and the U.S. Fish and Wildlife Service under the direction of the newly created Federal State Land Classification Commission; designate 55 million acres that would be called "Alaska National Lands" generally a buffer zone that would be managed as part of the four systems, but with advise from the classification commission; and the establishment of trust fund money earned on federal lease, right-of-ways, easements and other federal interest d2 lands.

HAMMOND TESTIFIES

Governor Hammond testified before a House Interior Committee hearing on Alaska d2 lands in Washington, D.C. on April 22, 1977. According to a Fairbanks Daily News Miner article of that same date Hammond was questioned closely by committee Chairman Morris Udall, sub committee Chairman John Seiberling, and Representative Teno Roncaglio, chairman of another subcommittee studying a route for an Alaskan gas pipeline from the North Slope. "The land would come under the terms of the proposal in the year 2000 but I have no objection to it going into parks now," Hammond said. "If there is the threat of a creation of a park hanging over the state, though, I think there is a greater chance that the state will committ its lands to the co-management system." Udall replied, "I can't see turning over to states anywhere management of national parks. If there is anything that has been sacred it's been the national parks."

The News Miner article went on to say that according to members of the Hammond and Stevens staff later that day (April 22) the two held a strategy session and agreed to support an amendment to their own bill dropping the 2000 provision, a change which would authorize the creation of 25 million acres in parks immediately.

GRAVEL WITHHOLDS SUPPORT

U.S. Senator Mike Gravel has chosen a separate "consensus" position saying that the Hammond, Stevens, Young proposal would win support all over Alaska but will

be thoroughly squashed in Washington. Gravel said that the HASTY proposal would put 25 million acres in to the four federal systems, an unrealistic amount when compared with the 114 million supported by environmental groups. The House Subcommittee on General Oversight and Alaska Lands is to tour Alaska this summer in response to a request by Senator Gravel. "It's important you see the beautiful areas, but it also is important that you see what it is Alaskans are talking about when they give their opinions on land issues," Gravel said during the first day of hearings on d2 lands in Washington, D.C. Gravel said he plans to withhold support from any legislation until a consensus of opinion in the state becomes clearer.

AFN POSITION SIGNIFICANT

Yet, the bottom line for all these complex approaches is becoming clear: Just what must Native Alaskans have to survive in their rural way of life? Is it development or protection of the federal d-2 lands? Or is it possible to have both — to have their cake and eat it too? Either way, they must make a stand on just what lands and waters and wildlife are vital to their well-being and survival as a people, and then achieve the necessary protection for these resources.

A recent step toward answering the d-2 land question has been the move by the Alaska Federation of Natives to amend the Conservationist's bill by Congressman Morris Udall to protect important Native interests (rather than join with the State's "HASTY" Bill, or the Interior Department's bill). It is becoming clear that long-term Native interests may best be served by a bill which offers firm and lasting protection to large tracts of important lands and waters and wildlife habitat, as national parks and wildlife refuges. These same lands and their wildlife populations have sustained Native peoples for countless thousands of years, and can continue to do so as long as they are not despoiled by industrial impact, resource speculation, roads and pipelines. Such important Alaskan landscapes are as vast as they are delicate. And thousands of years of Native subsistence use has yet to damage or change them.

What remains to be done is to insure that Native peoples be guaranteed continued use of, and access to, their traditional subsistence resources on d-2 lands, and a say in their future management. The recent AFN move is an important step toward that end.