

Ft. Yukoners & State Commission Discuss Land Problems

Rampart Dam And Navigable Waters Withdrawals Under Heavy Fire

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Delayed by a day of ice fog, a broken rudder trim-tab, and bad flying conditions, two plane-loads of the joint federal-state Land Use Planning Commission set down in Ft. Yukon last Monday, January 22.

The unusual and unprecedented meeting with the people of Yukon Flats was the wind-up of a statewide tour that included Toksook Bay, Nunivak Island, Minto, and Kotzebue.

The Commission was wading into some of the toughest areas of the state's complex land situation.

Toksook Bay and Nunivak are hedged in by large federal wildlife refuges, forcing alternative selections by Native villages in areas they feel are less desirable.

"The chief complaint of the village of Minto was a road," said Commission member Celia Hunter, "a road that allows non-Native people to come out, fish, hunt, and LITTER."

Hunting for subsistence and protection of subsistence rights was an issue often thrown at the Commission.

Joe Josephson, co-chairman appointed by the governor, made it clear that the Land Use Planning Commission has come out very strongly in support of subsistence hunting on the lands under consideration for selection.

"We don't make any game laws," Josephson said in defining the Commission's role. "The Land Use Planning Commission will recommend the use of land, not regulate its use."

A Ft. Yukon man stood up to say, "99 per cent of the people of this valley have lived here for thousands of years. The ducks have come. The moose have been here. Not until the white people came did anyone have to manage the game."

It was suggested at the meeting that "people of the land may provide the best management of those lands. Resentment comes when the 'outsider' does the enforcement and the management."

"That's why we're here," said Cliff Black, Eskimo Director of Native Affairs for the Commission. "If the Commission does its work well, maybe you'll have something to say about the new laws."

"I grew up in a village in Deering, Alaska. I hunted."

Jonathan Solomon of the village council said, "We have NEVER been asked, the people of Ft. Yukon valley, we have been TOLD that this is the way it is going to be."

It was hard for the village to believe that the purpose of the Commission in coming to the village was, indeed, to listen.

"What are the views of the people here? What are some of the types of land use going to be? On the Yukon Flats, for instance?" asked Celia Hunter.

The question was quickly answered. Jonathan Solomon made a recommendation to the Commission that the Power classification of Rampart Dam be withdrawn immediately. "We are losing every day Native allotments in this area," he said.

He was unanimously supported by those present at the meeting.

Richard Frank, Land Chief and Community Regional Director for Tanana Chiefs, pointed out that two letters had



LISTENING TO THE PEOPLE — The Land Use Planning Commission travels to Toksook Bay, Nunivak Island, Kotzebue, Minto, and Fort

Yukon to find out what the people want to do with the land. Joe Josephson and Cliff Black listen as villagers speak out on land use problems.

**All
Photos By
Jacqueline
Glasgow**

already been sent to the Secretary of the Interior on the Rampart Dam withdrawal.

"I think it is good," he said, "that this time it comes from the roots. It may have strong bearing effect on the Secretary when it comes from you who live here in Yukon Flats."

Concern was also expressed over large withdrawals made for the four federal systems: National Forests, Wildlife Refuges, National Parks, and Wild and Scenic Rivers.

"There are a lot of wild and scenic rivers running through native villages," said one observer. "If you have a one mile corridor on each side of the river, this is not going to help hunters."

"The Bureau of Outdoor Recreation is recommending that NO vehicle be allowed within one mile of the river. NO motorized riverboats ON the river. You can't pitch a tent and you can't use a snoggo."

"There are 14 Wild and Scenic Rivers in Tanana Chiefs' region," said Frank. "That's of about 36 in the total state. 10 are in the Yukon Flats."

"I think it should be made clear," explained Harry Carter, "that the Commission is not locked into any one of the federal systems."

"We're not the BIA, we're not the BLM, we're a new agency that will exist only until 1976," added Josephson, "to help in the time when the corporations are being formed and land is being selected. We will assist in the problems of land selection, in interpreting legal problems of the Act, and in exploring the resources of the land, so that we can help the people who make the final judgment, the Secretary of the Interior and the Congress."

One of the toughest legal problems ahead will be the definition of "navigable waters." Josephson said the Commission has employed one lawyer almost full-time to study and report on water rights.

Under the Statehood Act,

Alaska acquired title to all lands beneath "navigable waters and lands under territorial seas."

Just what the word "navigable" means is the difficult point. It obviously includes the Yukon, Kuskokwim, other rivers, and lakes such as Illiamna.

the ownership of land, with transfer of title, how do we own the land, what do we do with it?"

DOYON's proposal has been favorably received by the Commission and if accepted by the Secretary may well force an



A GRASSROOTS EXPLANATION — Richard Frank explains concepts of land use planning.

Some experts define "navigable" as those waters which were usable in commerce at the time of Statehood. In Alaska, there are literally thousands of bodies of water with no history of usage and others whose usage is clearly for recreational purposes and not commerce.

Rather than litigate each and every case through the courts, it is hoped that the Land Use Planning Commission can come up with a workable (and acceptable to all parties) definition of "navigable waters."

Tanana Chiefs has stressed the importance of early identification of navigable waters in order that land selection can be accomplished within the tight time-frame allotted.

Nearly every village in Alaska is situated on a body of water and it is clear that the problem will have to be dealt with in order for villages to know what land is available or not available for their selections.

More recently, DOYON, Ltd., has proposed that the Land Use Planning Commission recommend to the Secretary of the Interior the immediate transfer of title to the townships within that village to the village.

DOYON's proposal is concerned primarily with the Tanana Chiefs' region but suggests participation by the Alaska Federation of Natives and other regions.

DOYON's head, John Sackett, cited the "educational aspects of actually working with a township, working with land, with

Not far removed from the old favorite, Monopoly, the "Land Claims Game" may be used in villages as an educational tool to work through land problems; to see, through game-playing, the benefits of different kinds of land use; to learn about environmental impact, economic and resource development, the effects of village expansion, additions of water and sewers systems; and how to make long-range projections.

It is not a far step from looking at the multi-colored, puzzle-piece map of withdrawals put out a year ago by the Bureau of Land Management — tan squares for major withdrawals, dark and light blue for state selections and open land, gold-orange for the utility corridor for pipeline route as it is more commonly called, white with red centers for native village withdrawals, rose and pink for village deficiency areas and native regional selections, and greens for federal and public interests lands.

Nevertheless, there is a hauntingly serious side to the "Land Claims Game." In one of the offices at Ft. Yukon, the walls are covered with posters.

One says, "Bad Deal at the Trading Post." Another reads, "Let Us Put Our Minds Together and See What Life We Will Make for Our Children," and yet another says, "Take Our Land, Take Our Life."

The Land Use Planning Commission is listening to the people of Alaska, hopefully all of the people, some 300,000 strong. They are also thinking of the 200 million "other" Americans who have concern and interest in Alaska's land.

The last poster on the wall says, "The Earth and Myself are of One Mind." The words are those of Chief Joseph of the Nez Perce.

It is perhaps too much to hope that all Alaskans — Native, federal, state, military, environmentalists, miners, and oil developers — will be of one mind.

Still, for the first time in the history of a land mass as large as Alaska, an attempt is being made to intelligently, thoughtfully, and with great care to plan the use of the land.



FUTURE LANDOWNER, ADAM PETER