

Ahtna-Alyeska agreement flounders

Lands are posted to protest contract policy

By LONE E. JANSON

"No Trespassing" signs and informational pickets have been placed at points of access to the Trans Alaska Pipeline where it crosses a 55-mile stretch of Ahtna Native corporation land.

The signs went up Sunday evening after a federal judge failed to grant an injunction preventing the award of a contract by Alyeska Pipeline Service Company to Northland Construction, believed to be a subsidiary of Green Construction Company. The contract was for maintenance and other work on the lower third of the pipeline.

Ahtna, joint-venturing with two other Native corporations, Chugach and Doyon, through Meridian Contracting Corporation/Doyon J.V., had submitted a bid for maintenance on the entire length of the pipeline.

The bid was awarded to Northland, even though Ahtna has an agreement with Alyeska giving them special preference in bidding and contracting, an agreement made in 1974 in exchange for certain releases and easements across Ahtna land.

In a hearing on Friday, Ahtna charged Alyeska with failure to live up to its commitments made in the 1974 agreement, and asked for an injunction against the award of the contract pending outcome of arbitration.

The judge declined to act, and withheld his decision for a week to look into jurisdictional questions.

The arbitration is over terms of the 1974 "Omnibus Agreement" between Alyeska and Ahtna, which was reached under auspices of the Secretary of the Interior in accordance with the Trans Alaska Pipeline Act.

The agreement calls for exclusive rights to work off Ahtna Lands and preferential bidding on all work off Ahtna lands in the southern third of the pipeline.

Governor Egan, in a speech on July 3, 1974, called the document "the greatest minority contract in Alaska history."

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The agreement went into arbitration in March 1978 when Alyeska awarded a contract to Earth Movers, Inc. for revegetation and other work between the terminal and Ahtna lands.

Professor Ira Michael Heyman Vice Chancellor of the University of California at Berkeley, was chosen arbitrator, and the arbitration is actively underway.

Ahtna contends that allowing the award of the new contract

before results of the present arbitration are known will render the effort "ineffective" and "futile," and will put many Chugach and Ahtna region residents out of work.

The arbitration will also determine Alyeska's ability to assess any proposal other than Ahtna's to do pipeline work in the southern third of the line.

Ahtna Corporation is the smallest of the thirteen Alaska Native regional corporations. It's

position astride the pipeline corridor originally denied them the right to select lands that should have belonged to the region and villages.

After several years of negotiations, Ahtna achieved the 1974 agreement that would allow them to select at least some of these lands, and gave Alyeska rights (in the form of easements and releases) that would enable them to build across Ahtna land.

In return they granted Ahtna

the preferential bidding clauses for construction and maintenance contracts in the southern portion of the line.