

WHO OWNS SEA OTTER POSED

Legal Atmosphere Points Toward Native Ownership: Brayton

"Yet unresolved and of vital importance to the Alaskan Native population and their land claims is the fact that the sea otter is the private property of these Alaskan Natives," Larry Brayton stated in Anchorage today.

Brayton, Acting Director of the Rural Alaska Community Action Program, questioned state policy in harvesting and transplanting the fur bearing mammals. Brayton said that ownership of the sea otter rests with Alaskan Natives and that current state action is in conflict with their best interests.

Ownership of the sea mammals has been long established, said Brayton, and has yet to be challenged.

"The process began during the 54th Congress in 1889. Chapter 3, Article 1956, Title 23, of the revised statutes sets out the policy dealing with the sea otter," he said.

"It states that no one would be allowed to kill fur bearing mammals in Alaska unless directly authorized through the Treasury Department. Subsequent to this law, the Treasury Department determined that only Alaskan Natives could hunt and harvest the sea otter, a traditional right that they had from the period when the Czarist Russians owned Alaska," Brayton stated.

Russian interest in Alaska has been attributed to the sea otter,

which has long been described as the world's most prized fur bearing mammal. Last fall, a prize pelt marketed by the state sold in Seattle for \$2,300.

Four others sold for \$2,150 each. Brayton charged that, after serious depletion at the turn of the century, the sea otter again faces exploitation.

"This new exploitation is not conducted as in the past by individual White fur traders, but is part of a policy pursued by the State of Alaska," he said.

"The state has proceeded further in the traffic of this beautiful creature, for now it has not only harvested the sea otter for its valuable pelt, but is now as a matter of state policy transplanting the sea otters to other parts of Alaska and also to the lower forty-eight," charged Brayton.

He said the 1968 harvest of 500 pelts was taken from an estimated population of under 5,000 in the Amchitka area. Brayton said that these figures do not lend strength to the

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VALUABLE SEA OTTER—Once numbering in great numbers, Alaska sea otters almost became extinct because of overhunting by Russians and poachers in the 1800's who sought its fur that is

one of the finest in the world. About a year ago in Seattle, Wash., one sea otter fur pelt sold for \$2,300.

—Fish and Game Photo by RICHARD WALLEN

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reason given by the state for the harvest, which is that "the sea otter population must be properly controlled."

The state, in cooperation with the Atomic Energy Commission, transplanted the sea otter from Amchitka to the coastal areas of Washington State. Over half these transplanted otters have since

"Since it has been admitted by biologists working for the AEC that in these blasts, ranging from one megaton of TNT to possibly five megatons, some sea otters will be destroyed, the state has taken upon itself the task of transplanting this valuable animal," Brayton stated.

"Yet this policy of harvesting and transplanting the sea otter clashes with that which was established by the federal government late in the 19th Century.

"The sea otter is, in fact, the private property of the Alaskan Native and therefore, it would appear that the state of Alaska is acting surreptitiously without authority to conduct their activities," said Brayton.

Brayton concluded that it is unfortunate the action originated with "the government of the

state rather than an alien power of marauders from distant lands."

Brayton resigned his director-

ship in June and will be succeeded by Byron Mallott, who is currently on the Washington staff of Senator Mike Gravel.