

AFN, INC. BLASTS GOVERNOR JAY HAMMOND

Letter on Easements To Secretary Morton Raises Group's Ire

Governor Jay Hammond has come in for some severe criticism from the Alaska Federation of Natives as a result of an April 4, 1975 letter which he sent to Secretary of the Interior, Rogers Morton on easements.

Roger Lang, President of the Alaska Federation of Natives and John Shively, Executive Vice President had requested that the State of Alaska review their stand on easements and give particular attention to the State's stand regarding a request for 25 foot easements on all ocean coastlines on Native lands.

Roger Lang and John Shively were scheduled to meet with the Governor in March. However, the Governor was sick and a meeting took place between several representatives of the State government, including Bob Palmer and Mike Smith. The meeting did not resolve anything and it was agreed that the Commissioner of Natural Resources, Guy Martin, would follow up with a meeting at AFN.

Commissioner Martin did meet with Roger Lang and John Shively on April 2nd and on April 4th the Governor sent his letter to the Secretary of the Interior which showed no change in the State's stand on coastal easements.

President Roger Lang said, "I was very disappointed in the manner in which the State handled this. The Governor has not met with us on this subject and the people that work under him seem to be treating the easement issue as if it were of minimal importance.

"We all know that the easement issue is very important to Native corporations and Native individuals. The easements which the State are requesting on coastlines and the linear easements they want on waterways will, by the Governor's own admission, cause great trespass problems for Natives. However, the State has no solution to this trespass problem and is interested in only making sure that the Natives do not receive full fee title to this land."

Another major issue for the Alaska Federation of Natives and the Native corporations has been that the use of land by Natives should not be the basis on which easements are reserved. However, the State feels that easements should be reserved based on Native use in order "to protect the Natives from their corporations".

John Shively said, "the State's desire to 'protect Natives from themselves' would be more credible if the Natives were indeed asking for this protection. However, Natives understand that the easements requested by the State are taking a property right of theirs and the easements are going to cause considerable problems with non-Natives trespassing on Native lands.

"The Natives are much more content to have to deal with their corporations for access than to

trust the State and Federal governments to protect their interest by allowing all the public to use substantial portions of Native land. It amazes me that the State is using 19th century 'paternalism' to justify taking land rights from Natives."

Roger Lang, President of the Alaska Federation of Natives, also commented, "The State and the Native Community are very close together on their stands to try to keep corridor easements off of Native lands. However, the easements that the State wants on minor waterways and on Native coastlines will have many more negative ramifications than the corridors most of which would be erased by the year 2001 because the corridors wouldn't be used.

"I understand the Governor has many great problems that he needs to deal with because of the State's financial crisis. However, I am extremely distressed that he could not find time to discuss this extremely important issue with us personally. I don't think he understands that at no time in the history of the Native Claims Act did the State in their presentations to the Congress ever suggest that there should be such things as coastal easements and linear easements along water-ways.

"In my opinion, this is a land grab by the State of Alaska and if the Department of the Interior agrees with the State, the Native community once again will have to go to Court to protect the rights we thought we won when the Land Claims Act was passed in 1971."