

Interior frees up thousands of Native allotments

by **A.J. McClanahan**

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The U.S. Department of Interior has re-interpreted a decision by a federal panel made a year and a half ago that had the potential of keeping thousands of Native allotment requests on the shelf for many years, according to Bill Horn, assistant secretary for fish, wildlife and parks.

"Our conclusion is that the decision doesn't extend to all allotment applications," Horn said in an interview Friday.

Bureau of Land Management and Bureau of Indian Affairs officials had said that the effect of the decision had been to put all allotments on hold.

The decision, made by the Interior Board of Land Appeals in early 1985 for an allotment claimed by Charlie Blatchford Jr., called for review of the land under the National Historic

Preservation Act.

"This could affect a majority of those allotments still pending," said Charles Bunch, Anchorage BIA realty officer.

Bunch stressed that reviewing

allotments under section 106 of the National Historic Preservation Act — clearing each allotment that potentially has "archeological significance" — could take many years and millions of dollars.

George Gurr, spokesman of the BLM in Alaska, said all Native allotments had been put on hold because of the decision in the Blat-

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Horn says decision to free up most allotments

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chford case.

"They said we hadn't completed a cultural survey, which would stop us in our tracks," he said.

In the meantime, however, Gurr said Interior Secretary Donald Hodel is reviewing the case to determine whether such extensive surveys should be made in all allotments.

And Horn stressed that although the directive from Hodel had not yet reached the BLM rank and file, it will have the effect of freeing up the majority of allotments now on hold for further action.

The effect on some allotments, such as Blatchford's, remains uncertain, however.

The Blatchford case stems from a claim by him and his sister Violet Mack for land on Yukon Island, a wooded island of about 700 acres in

Kachemak Bay, just off the Kenai Peninsula.

The historical significance of the island began with work done by anthropologist Frederica de Laguna, who beginning in 1930 conducted archeological excavations on a portion of the island's south side.

Blatchford, who is originally from the Bering Straits area but grew up in Homer, claims his use of 80 acres on the island began in 1960. Mack claims use of a 35-acre parcel on the island beginning in April 1949.

Earlier, public interest in preserving the site of de Laguna's work led to a request for BLM to withdraw all of Yukon Island as an archeological site. But due to an administrative error, according to the federal panel's report, a 57-acre parcel on the north side of the island containing none of

the known archeological sites was all that was withdrawn by a federal order in 1957.

The federal panel's report states that after realization that the archeological sites uncovered by de Laguna were unprotected, a federal order was issued in 1963, withdrawing all 700 acres of the island "for protection and preservation of their archeological and historical values.

And the Yukon Island Main Site, where de Laguna conducted her primary research, was designated as a National Historic Landmark in 1964 and entered on the National Register of Historic Places in 1966.

Through the years, besides Blatchford and Mack, homesteaders filed applications for land, and the state also selected parcels on the island.

In 1983, BLM rejected the state's selection of land conflicting with

Blatchford's and Mack's allotment applications because the lands were not "vacant, unappropriated and unreserved." The state has continued to fight the decision.

In early 1985, the Interior Board of Land Appeals rejected Blatchford's and Mack's claims. And the board called on the BLM to follow procedures under the National Historic Preservation Act in approving allotments. That means that extensive archeological studies would have to be made of many allotments before they could be approved.

Horn said the new interpretation of the federal panel's report means that archeological studies will still have to be made in some allotments — those in areas designated or listed as historic areas. But he said the majority should be able to move forward.