

Eklutna gets land--finally, will bargain with school

Eklutna, Inc. announced January 5 that it had given legal consent to continued, undisrupted Anchorage School District use of the Chugach High School and Birchwood Elementary School, both located on land recently conveyed to it by the United States.

The Eklutna, Inc. spokesman, Daniel Alex, said this consent was given because Eklutna expects that the Municipality and the State of Alaska will discuss with Eklutna, in good faith, an overall resolution of land questions between them. Eklutna has no intent to disrupt the educational process, he said, and expects to resolve this and all other questions with the State and Municipality in a businesslike manner.

The legal situation need not have any practical effect on the children, Alex added, who presumably will not notice it at all, and among whom, for that matter, are some of the village shareholders.

Asked for background, Alex noted that the land in question was ancestral land of the Dena-ina Indians, that had been made part of the Eklutna Reserve as early as 1936, along with all other land north of the main channel of Eagle River. The land continued as part of the Eklutna Reserve until 1942, when it was transferred to the then War Department for military purposes, as part of the World War II emergency. Upon the expiration of the military emergency, the lands were not returned to Eklutna, but were rather held in federal ownership.

Thereafter the State of Alaska selected the lands. The Eklutna Village Council protested the selection, and the Natives at Palmer commenced a proceeding in the Indian Claims Commission to obtain this land and other land. While all this was going on, Alex said, the former Anchorage Borough School District approached the State of Alaska for permission to build a school upon what the Borough probably assumed were State lands. The Eklutna Village Council was asked for its consent, and gave that consent subject, however, to a reservation of the right of the Native peoples to obtain compensation for the land.

The Natives of Palmer, however, never consented to a transfer of the land to the Borough. Eklutna, Inc. includes both groups. Alex pointed out that the Borough School District proceeded to use the land as though it owned it outright, when in fact it had not received title to the land. It is through their having gambled on obtaining title to the land, he said, that the present predicament arises. In the end, the Alaska Native Claims Settlement Act gave the land to Eklutna.

Alex pointed out that under the Claims Act Eklutna is obligated to convey some 1,280 acres to "the municipality in" the Native village. He pointed out that Eklutna had never incorporated as a city, and thus that there was no municipality in the village to receive this conveyance. According to the act, Alex noted, the State of Alaska is a trustee to own the land which is to be conveyed in trust for a future city of Eklutna.

Alex said that Eklutna was convinced that the Municipality of Anchorage was not entitled to receive conveyances, but that it was also unlikely that a city of Eklutna would ever come into existence. That being the case, the Eklutna Board of Directors decided it would be more practical to work out an arrangement with the State as trustee, and with the municipality, to have certain lands made available for local public purposes, instead of being in limbo in State trust ownership for the indefinite future.

For this reason Eklutna is attempting to get negotiations under way with the municipality to see if a practical political solution can be arrived at, whereby the unified municipality of Anchorage receives a certain amount of land, and the state as trustee agrees not to seek any lands for a future city of Eklutna.

Alex stressed that Eklutna has no desire to inconvenience the School District, but only wishes to reach a reasonable, comprehensive agreement with the state as trustee and with the municipality of Anchorage, settling all of these questions.