

"I may not agree with a word you say but I will defend unto death your right to say it." — Voltaire

Statement—

John Sackett on Multiple Use of Land

(Editor's Note: The following are excerpts from a statement presented by John Sackett of Doyon, Ltd. to the Joint Federal-State Land Use Planning Commission at the hearing held in Fairbanks, May 17 and 18.)

By JOHN SACKETT

We believe that land was created for the use and benefit of mankind. We believe that all mankind has been given a stewardship which requires him to use wisely his limited land resources. So doing, the land will sustain man, both physically and spiritually.

We Native Alaskans are justifiably known throughout the nation as a people who love the land and have been careful not to abuse it. We are proud of this reputation. Because of this love of the land, the land in turn has taken good care of us.

We would like to share with you today our philosophies of land use because we feel that we have a unique contribution to make to the nation with respect to the 17(d) (2) lands. We know and understand these lands better than any other people of the world. We know and understand these lands in ways that no bureaucrat can ever match. We want you and our fellow American citizens to listen to what we have to say.

It is our belief that land should be devoted to its highest and best use. In other words, we believe that land use should be dedicated by mankind to his own best use.

Use of land for the benefit of man takes many forms. In order that there be land available to satisfy all of man's needs, land needs to be available for the many uses of which mankind makes of land.

Thus, land needs to be available for man to satisfy his economic needs, as evidenced by land devoted to industrial, commercial, and transportation uses. Other lands are needed to satisfy the residence needs of man; to contain his housing, education, and related social structures.

But we recognize that "man does not live by bread alone," but that one of man's basic needs involves land use determinations to provide food for the inner man. This is called by some as fulfilling some of the spiritual needs of man.

We recognize that the 17(d) (2) lands, which are proposed for study for possible inclusion in one or more of the four conservation systems, represents an organized attempt at land use planning to satisfy some, or all, of the needs of mankind.

We believe the real issue, then, is whether these 17(d) (2) lands are to be planned for the FULL spectrum of man's use, or merely a limited segment for man's use. Should these 17(d) (2) lands be used for single purposes or for a multitude of man's needs?

Native people believe that the land should satisfy ALL of the needs of mankind. Native people are probably the worlds best practitioners of the multiple use concepts. May we share with you some of these concepts today?

In setting the aboriginal claims of the Alaska Native people, Congress designated that title to certain lands be transferred to ownership by native peoples through their corporations. Congress, however, additionally recognized that the legitimate aboriginal claims of the native people included use of other lands to which fee title would not be transferred to Native ownership.

The Congress stated "the committee expects both the Secretary and the State to take any action necessary to protect the subsistence needs of the Natives." Subsistence needs of native people constitutes both an economic and spiritual use of these lands on our part. This is a simple example of multiple use.

We feel that we, as members of the human race and aboriginal occupants of the land, are just as much entitled to the right of hunting on 17(d) (2) lands as is the wolf. We feel that we are justified in insisting on the same rights to fish on these lands as the bears and the birds. Likewise, we should be protected in our subsistence trapping rights. For you see, the Native people are as much a part of the land as are the wildlife, fish, and fowl.

I think that most people readily acknowledge two important facts concerning the 17(d) (2) lands. First, no one really knows what resources are contained in these lands, whether they be resources which are measured in economics or aesthetics.

No one really knows the potential of these lands for timber, minerals, game production, or aesthetic development. Every representative of the agencies connected with the four systems has freely admitted to us their basic ignorance of the resources contained in the 17(d) (2) lands being studied.

Secondly, in spite of the gross lack of knowledge of the resources of these lands, the time frames under which everyone

is operating absolutely prohibits wise and systematic inventory of these resources at this time. Thus, the short time frame prevents mankind from accomplishing the objectives Congress laid out in recommending the future uses of these 17(d) (2) lands.

We urge therefore, that until the full extent of ALL resources on 17(d) (2) lands are inventoried and understood, that the Secretary refrain from recommending to the Congress the four conservation systems.

We believe that this would be a responsible action to fulfill his responsibilities under law. To make far reaching and specific recommendations prior to understanding the highest and best uses of these lands would be a dereliction of duty.

Our village people have testified as to the location of subsistence use areas, but how can we testify as to the potential areas where man will find minerals and other resources which may hold the key to solving pollution problems throughout the world? We cannot do this.

Nor can the National Parks Service, the Fish and Wildlife Service, the Bureau of Outdoor Recreation, nor the U. S. Forest Service. The answer to these questions require TIME. Our fear is that the planners of 17(d) (2) lands are about to throw away the most precious part of planning for these lands. Namely, TIME.

We recommend that those areas presently under study by the agencies for inclusion in the four systems be reclassified into 17(d) (1) unless and until every single potential resource upon these lands be identified and analyzed.

We recommend that the Secretary designate these lands to be available for uses which would permit the discovery of the many resource values which they contain. Under such a classification, the Secretary could prevent abusive uses.

We have reviewed, generally, the proposals of the agencies which represent the four systems. In many instances we note a number of conflicts relative to proposed use and classification of these lands.

We have concluded that it is dangerous and unwise at this point in time to support one system over another for any proposed 17(d) (2) area.

We feel that 80 million acres is an excessive amount of land to be included in these four systems. We feel that the Bureau of Land Management with its new proposed organic act, may provide the most desirable alternative with respect to a large portion of the lands presently classified as 17(d) (2).

We feel, generally, that if the Bureau of Land Management is given proper management authority, multiple uses which could arise out of discovery and wise development of resources upon the land would provide a desirable land use pattern for many of these areas.

Because game is migratory and subsistence areas follow the movement of game, ALL lands recommended by the Secretary for inclusion in any of the four systems should contain blanket provisions to protect present and future subsistence needs of Native people. This would fulfill the spirit of the settling of the aboriginal claims as contained in the Alaska Native Claims Act.

We recommend strongly that all 17(d) (2) lands, prior to the time they are recommended by the Secretary to the Congress for inclusion into the four systems, be imposed with easements for transportation corridors.

These corridors should be designated and imposed in accordance with standards no less strict than those standards by which similar easements for transportation corridors will be imposed upon lands transferred in fee to the Native corporations.

Such easements should be made as are "reasonably necessary to guarantee international treaty obligations, a full right of public use and access for recreation, hunting, transportation, utilities, docks, and such other public uses as may be deemed important."

We believe that it is only fair to the fee owners and potential users of adjacent and nearby lands in the vicinity of the four systems to have appropriate and adequate means of ingress and egress to and from their property.

We have felt throughout the Native communities, a strong sense of frustration which has been created by the attitude of most of the agencies which have been studying 17(d) (2) lands.

These attitudes have included their nearly complete disregard of obtaining facts and opinions of rural residents of Alaska whose very life style would be most affected by the decisions contemplated. For the most part, the agencies involved have been planning in a vacuum. We strongly object to this in principle.

The lack of ample planning time is not a valid excuse. Thus, the scheduling of these hearings of the Land-Use Planning Commission throughout Alaska is welcomed.

VISTA

Volunteer and An Old Eskimo

Land's End Village
State of Alaska
May 10, 1973

Dear Howard,

I am sorry that I missed a week in writing to you, but it appears that my friend Wally Morton wrote to you explaining the situation. Well, he is still putting my words and thoughts down on paper. Joe Ayagutug and I took a week's trip into the territory surrounding our village to see how the land selection will work here. We covered our traditional hunting and fishing grounds where our people have lived for centuries. Although everyone knew the area, we never put up markers, fences, or boundaries because there were enough resources for everyone to survive.

What we found were large areas that had been marked off by others, especially the Federal Government. Some of it is in National Parks, Wildlife Refuges, Bird Sanctuaries; while other areas are held by the State of Alaska and private corporations.

That means that the land available to us to choose is smaller because all of these others, who are outsiders as far as we Natives are concerned. They have taken this land without our participation or permission. How then can this be a "fair and just" settlement if that land was taken from us without our knowledge and is not going to be included in the selection process? What will become of the villages in these areas? Who is this wildlife being reserved for? Wally says that maybe we Natives should apply to the Federal Government for protection as an "endangered species."

Joe Ayagutug said that according to AN ACT our land choice will have to be compact and contiguous. Did this apply to the government and the private corporations when they took all that land? Because we are a small village we have rights to about 69,120 acres. Apparently 23,040 acres will be the square section around the village itself. Since we are located on a river we would like to choose land along the river, but Joe says this would not be compact and also AN ACT limits the village's selection in regards to waterways. He also said that our village would not receive subsurface rights, in other words any valuable minerals in the ground, because these would belong to the Regional Corporation. This I cannot understand. Why can't the Village Corporation have the subsurface rights to the land they receive? How did they make a decision like this?

Well Howard, I have so many questions about how this land selection is going to work that I'll probably have to send another letter when we begin to see what happens out here.

Your friend,

Naugga Ciunerput

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Owned, controlled and edited by Eskimo, Indian, Aleut Publishing Company, a corporation of Alaska natives. Published at Fairbanks, Alaska, weekly, on Wednesdays.

Address all mail to Box 1287, Fairbanks, Alaska, 99707. Telephone 452-2244

Second class postage paid at Fairbanks, Alaska 99701.

Eskimo, Indian, Aleut Publishing Co., Inc. Board of Directors Executive Committee: Howard Rock, president; Thomas Richards, vice president; Mrs. Ralph Perdue, secretary; Jimmy Bedford, comptroller; Mary Jane Fate, corresponding secretary. HOWARD ROCK, editor.

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