

# Ouzinkie Challenges Land Classification

The City of Ouzinkie filed a suit in Superior Court on December 23rd, 1970, challenging the classification of lands near the city as available for open-to-entry five-acre recreational leasing.

Two individuals who maintain gardens and graze cattle in the affected area also joined in the suit.

Named as defendants in the action were Charles F. Herbert, Commissioner of the Department of Natural Resources, J. F. Keenan, Director of the Division of Lands, and Dale P. Tubbs, Southcentral District Land Manager.

A hearing on the plaintiff's request for a preliminary injunction against the defendants has been set for January 7th in Kodiak.

The plaintiffs in their complaint alleged that they have been denied the rights and protections for them under State statutes and regulations dealing with land classifications when the defendants classified lands near the city without consulting with the plaintiffs or holding a public hearing in the plaintiff community.

The complaint asks that the Superior Court declare the open-to-entry classification near the

city void and of no affect and enjoin the defendants from accepting any lease applications filed in the classified area.

The case was filed by the plaintiff's attorney, Alaska Legal Services, after the City of Ouzinkie, the Kodiak Island Borough Assembly, and an administrative

protest were filed with the State Division of Lands challenging the validity of the land classification.

Additional information on this action can be obtained by calling the Anchorage office of Alaska Legal Services, phone number 272-9431.