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Tim Wallace, Willie Hensley and Theresa Peterson comment on the d-2 land proposals

Jeff Kennedy, interviewer

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John Seiberling, Representative from Ohio, has been traveling through Alaska to get comments on the Udall proposed bill. The bill would set aside Alaska lands in different categories.

Tim Wallace, president of Doyon, said they have been concerned about the reservation of easements on Native lands. Doyon has spent time understanding the secretary's views and policies on easements and seek to ensure its compliance with the provision of settlement act. They have always been amazed at the location of the easements. They always seem to start and end on Native land. They were told this occurred because other lands were public lands and there was no need for easements on it. In reviewing d-2 legislation and the policies of agencies they have discovered that this isn't quite true. While the lands may be considered public the rights and manners by which the public use them varies greatly. Because of the land ownership pattern which is developing in Alaska many private lands may be land locked by d-2 withdrawals. In the Doyon region the most striking example is in the villages of the Yukon Flats. The four villages will be surrounded by the Yukon Flats Wildlife Refuge without any overland access route to them. The basic enabling legislation for wildlife refuges prohibits the granting of any easements to federal or local governments or to private parties without compensation being paid to the federal government at fair market value. While reserving access agreements free of charge to cross the Native lands no access would be provided to either the residents of the communities or the corporations whose lands are locked up. Doyon faces a similar problem in the Fortymile area that is adjacent to the Canadian border, south of the Yukon River, and north of the Alcan Highway. This is a mineral potential area and as a result Doyon will receive title to a number of interesting mineral prospects that can hopefully be developed to provide an economic base for the corporation. Because of the proposed Fortymile Scenic River many of the prospects will be isolated from established transportation routes. Without access their economic development become marginal. If adequate safeguards are not written into d-2 legislation what Congress intended to occur as a result of the Settlement Act may be defeated by implementation of an overly restrictive d-2 legislation. They are also concerned with offsite impacts. These are impacts on adjacent lands that would be created by the establishment of various parks and wildlife refuges. In many instances the status would determine the use of the adjacent land. He discussed the Clean Air Act. He said given the land ownership patterns in Alaska that without assistance from Congress a large amount of Native and state lands will be precluded from any development because of the required air status over adjacent d-2 lands. Native corporations may be faced with the choice upon which its survival depends. They are also concerned with effects of water quality laws. Wilderness areas would forbid the use of motorized vehicles except where their use is established. A villager surrounded by park or refuge may be prohibited from using his vehicle. Provisions must be made to avoid this. There should be a directive. They have spent

time and money to get the Secretary to follow the will of the Congress through the Settlement Act. He talked about site easements for staging areas. They don't object to easements for crossing lands but they object to use of their land for other purposes that should be provided by the agencies. They also concerned about adequate protection for subsistence use by Natives. Subsistence is critical for survival for the people. He talked about their use of the land in comparison to use of the land by others. They are as much a part of the land as the moose and lynx. They would like to prevent a takeover bid by larger companies when their land is available for sale.

Song by Gordon Lightfoot

Willie Hensley said the NANA position is in support of the federal state land use planning. Their region is interested in the ability of the people to continue to subsist off the land. The state has minimal land selections in their area. The private lands are their own lands. They are interested in conserving the people's ability to hunt and fish to the indefinite future. It is their primary mode of livelihood and will for some time to come. Kennedy asked who should assure this. Hensley said the recommendation of the NANA Corporation is the federal government should manage it in their region. They feel that the state has a constitutional inability to provide for the people's rights to hunt and fish. Kennedy asked about his comments about a particular area around a particular river. Hensley said they aren't closing options for development. They were recommending a slight change in federal withdrawals to allow them to select an area called the Red Dog area that has lead and zinc possibilities. It is up near the Noatak area. The chairman indicated there was a possibility of changing the lines there.

Music from Barrow

Theresa Peterson, from Council, said she was born and raised on the Seward Peninsula. She is presently a student at Cornell University. They have lived in their area for tens of thousands of years. He said Native people suffer from a loss of their homeland. She discusses the Settlement Act and the creation of the Native corporations. She talked about the destruction of wilderness areas and conflicts. While some cultures modify consumption of resources at the last moment Natives have conserved as a matter of lifestyle. She discussed the concept of parks and preserves and wilderness concepts. She said Natives were denied the opportunity for choice of prime land in Alaska. She discussed subsistence rights, lifestyle and the value of production. They expect to continue this lifestyle. She talked about attitudes of whites towards Natives. She said Natives need to be consulted about this legislation. She said Natives have lived systematically, successfully, gently and orderly with this land for tens of thousands of years. This is a high level of success. Kennedy asked how the Udall bill relates to the Land Claims Act. Peterson said the Udall bill is a derivation of the 1971 Settlement Act. She would like to see a guarantee of subsistence rights for Natives. Kennedy asked about development on the lands by Native corporations. Peterson said it depends on the individual corporation.