

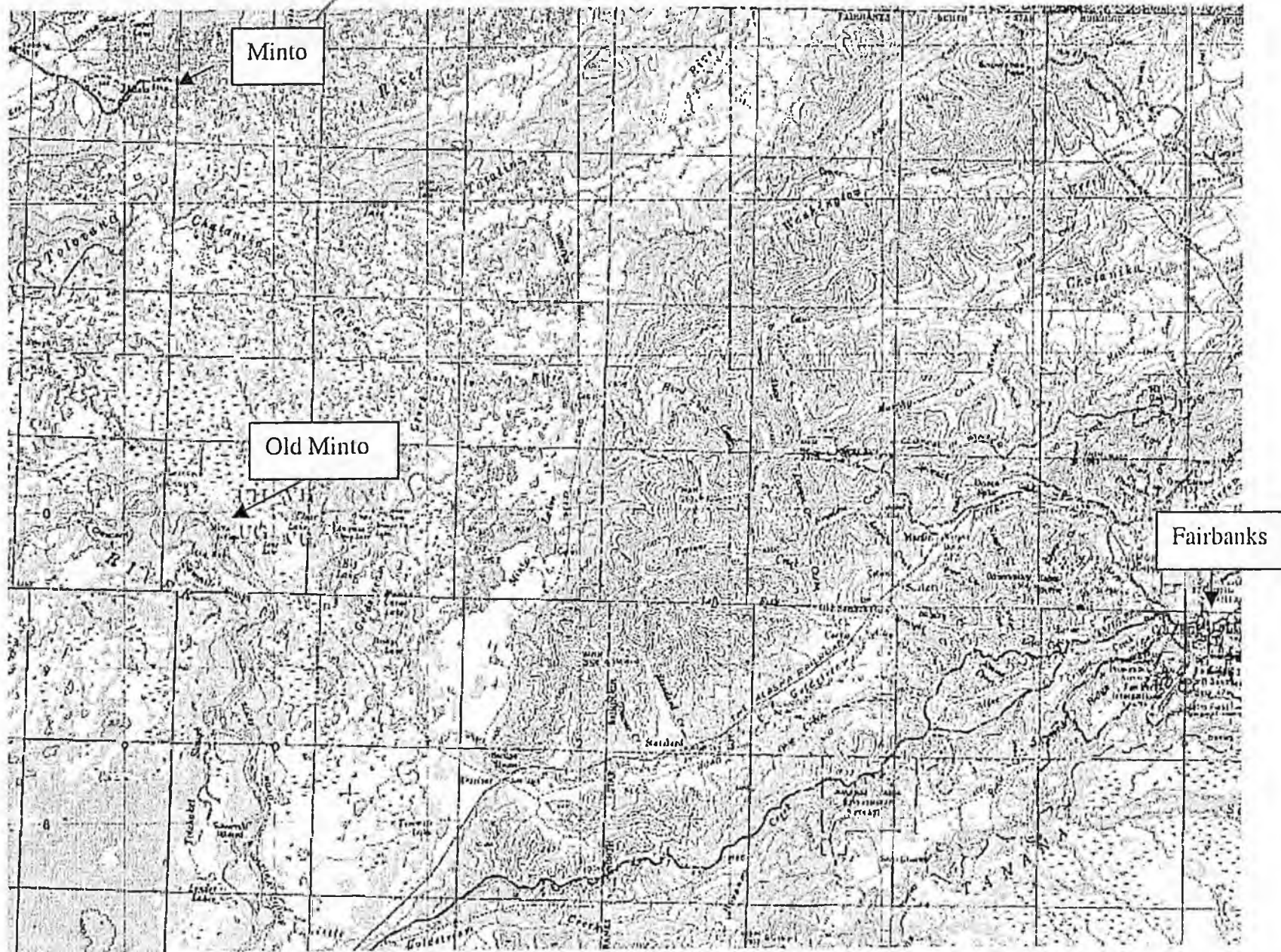
SB

132

THE  
FOLLOWING  
DOCUMENT(S)  
ARE  
POOR  
ORIGINAL  
COPIES

32.8 acres

Moved in 1969 to old site



23-LS0578\U  
Bullock  
5/6/04

**HOUSE CS FOR CS FOR SENATE BILL NO. 132(RES)**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**TWENTY-THIRD LEGISLATURE - SECOND SESSION**

b-y  
2-d

**BY THE HOUSE RESOURCES COMMITTEE**

**Offered:  
Referred:**

**Sponsor(s): SENATORS LINCOLN, Olson, Wilken, Guess, Hoffman, Cowdery, French, Ellis, Elton, Davis,  
Wagoner**

**REPRESENTATIVES Kookesh, Morgan**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act removing the Old Minto townsite from the Minto Flats State Game Refuge;**  
2 **and authorizing the Department of Natural Resources to convey certain land at the**  
3 **historic Old Minto site to the Native Village of Minto."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 **\* Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
6 to read:

7 **LEGISLATIVE FINDINGS.** The legislature finds that

8 (1) the Old Minto Site has been historically used by the community of Minto  
9 for spiritual, cultural, and community purposes; and

10 (2) the conveyance of the site to the Native Village of Minto serves a public  
11 purpose and is in the public interest.

12 **\* Sec. 2.** AS 16.20.037(3) is amended to read:

13 (3) Township 1 North, Range 8 West, Fairbanks Meridian  
14 Sections 1 - 16

1 Sections 21 - 28, excl. ASLS 95-37

2 Section 35: E1/2

3 Section 36;

4 \* Sec. 3. The uncodified law of the State of Alaska is amended by adding a new section to  
5 read:

6 CONVEYANCE OF LAND AT THE HISTORIC OLD MINTO SITE. (a) Subject to  
7 valid existing rights, including land leases or sales contracts, easements, reservations, rights-  
8 of-way, and any vested and accrued water rights, and excepted and reserved from the  
9 conveyance a right-of-way for ditches and canals constructed by the authority of the United  
10 States under 43 U.S.C. 945 (Act of August 30, 1890, 26 Stat. 391), the commissioner of  
11 natural resources shall convey to the Native Village of Minto, without cost, the following  
12 land: Alaska State Land Survey No. 95-37, within unsurveyed Section 28, Township 1 North,  
13 Range 8 West, Fairbanks Meridian, containing approximately 31.42 acres, more or less,  
14 according to the survey plat filed in the Nenana Recording District on May 7, 1997, as plat  
15 no. 97-4.

16 (b) The conveyance shall be made subject to the following reservations: "The party  
17 of the first part, Alaska, hereby expressly saves, excepts and reserves out of the grant hereby  
18 made, unto itself, its lessees, successors, and assigns forever, all oils, gases, coal, ores,  
19 minerals, fissionable materials, geothermal resources, and fossils of every name, kind or  
20 description, and which may be in or upon said land above described, or any part thereof, and  
21 the right to explore the same for such oils, gases, coal, ores, minerals, fissionable materials,  
22 geothermal resources, and fossils, and it also hereby expressly saves and reserves out of the  
23 grant hereby made, unto itself, its lessees, successors, and assigns forever, the right to enter by  
24 itself, its or their agents, attorneys, and servants upon said land, or any part or parts thereof, at  
25 any and all times for the purpose of opening, developing, drilling, and working mines or wells  
26 on these or other land and taking out and removing therefrom all such oils, gases, coal, ores,  
27 minerals, fissionable materials, geothermal resources, and fossils, and to that end it further  
28 expressly reserves out of the grant hereby made, unto itself, its lessees, successors, and  
29 assigns forever, the right by its or their agents, servants and attorneys at any and all times to  
30 erect, construct, maintain, and use all such buildings, machinery, roads, pipelines, power  
31 lines, and railroads, sink such shafts, drill such wells, remove such soil, and to remain on said

1 land or any part thereof for the foregoing purposes and to occupy as much of said land as may  
2 be necessary or convenient for such purposes hereby expressly reserving to itself, its lessees,  
3 successors, and assigns, as aforesaid, generally all rights and power in, to, and over said land,  
4 whether herein expressed or not, reasonably necessary or convenient to render beneficial and  
5 efficient the complete enjoyment of the property and rights hereby expressly reserved."

6 (c) The conveyance shall also be made subject to the following terms and conditions:

7 (1) the Native Village of Minto waives any claim to sovereign immunity, if  
8 any, with respect to the land or activities on the land;

9 (2) the land remains under the civil, criminal, and regulatory jurisdiction of the  
10 state;

11 (3) the Native Village of Minto shall submit the waiver required under (1) of  
12 this subsection, in writing, before the land is conveyed;

13 (4) the Native Village of Minto may not transfer the land to any other private  
14 or governmental entity for any purpose or duration unless approved in advance by the  
15 legislature.

16 (d) Unless the commissioner finds that it is not in the public interest, the management  
17 of all existing land leases or sale contracts on the land described in (a) of this section shall  
18 pass with the conveyance to the Native Village of Minto.

**CS FOR SENATE BILL NO. 132(RES)**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-THIRD LEGISLATURE - SECOND SESSION**

**BY THE SENATE RESOURCES COMMITTEE**

**Offered: 4/28/04**  
**Referred: Rules**

**Sponsor(s): SENATORS LINCOLN, Olson, Wilken, Guess, Hoffman, Cowdery, French, Ellis, Elton, Davis, Wagoner**

**REPRESENTATIVES Kookesh, Morgan**

**A BILL**  
**FOR AN ACT ENTITLED**

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30 erect, construct, maintain, and use all such buildings, machinery, roads, pipelines, power  
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4 whether herein expressed or not, reasonably necessary or convenient to render beneficial and  
5 efficient the complete enjoyment of the property and rights hereby expressly reserved."

6 (c) The conveyance shall also be made subject to the following terms and conditions:

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8 and assigns forever any claim to sovereign immunity with respect to the land or activities on  
9 the land;

10 (2) the land remains under the sovereign jurisdiction of the state;

11 (3) the Native Village of Minto shall submit the waiver required under (1) of  
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14 of all existing land leases or sale contracts on the land described in (a) of this section shall  
15 pass with the conveyance to the Native Village of Minto.



# Senator Georgianna Lincoln

---

Alaska State Legislature, District C  
State Capitol • Juneau, Alaska 99801-1182 • (907) 465-3737 • Fax (907) 465-2652  
E-mail: Senator\_Georgianna\_Lincoln@legis.state.ak.us

## MEMORANDUM

TO: Representative Nancy Dahlstrom, Co-Chair  
Representative Bev Masek, Co-Chair  
House Resources Committee

FROM: Senator Georgianna Lincoln *Georg*

RE: Committee Hearing for CS SB132 (RES)

DATE: May 5, 2004

---

I respectfully request you schedule CS SB132 (RES), "An Act removing the Old Minto townsite from the Minto Flats State Game Refuge" as soon as possible. This bill simply removes the Old Minto townsite from the Minto Flats State Game Refuge and authorizes the Department of Natural Resources to convey 32.4 acres of land to the Native Village of Minto.

Attached please find my sponsor statement and letters of support. Please contact my staff, Mark Stopha, extension 2847, with any questions on this legislation.



## Senator Georgianna Lincoln

---

Alaska State Legislature, District C  
State Capitol • Juneau, Alaska 99801-1182 • (907) 465-3737 • Fax (907) 465-2652  
E-mail: Senator\_Georgianna\_Lincoln@legis.state.ak.us

### Sponsor Statement for Senate Bill 132

**“An Act removing the Old Minto town site from the Minto Flats State Game Refuge and authorizing the Department of Natural Resources to convey certain land at the historic Old Minto site to the Native Village of Minto.**

Senate Bill 132 will allow for the transfer of approximately 32 acres of land located at the Old Minto village site from the Minto Flats State Game Refuge to the Native Village of Minto. Currently, the Interior Athabascan Cultural Heritage Education Institute (ACHEI), operated by the Native Village of Minto, holds a “Public and Charitable Lease” for a Youth Encampment on the site until 2052. The Native Village of Minto would become the landlord and administrator of the ACHEI lease.

Old Minto village is located on the banks of the Tanana River, about 50 miles northwest of Fairbanks. Old Minto village was the home of the Minto Band of Athabascan Indians from the time of its settlement in 1915 to 1969, when the people relocated to the present village site of Minto due to flooding and erosion. The residents of Minto never intended to give up their ancestral lands at Old Minto when they were forced to move. Despite relocation, the people of Minto continue to maintain a strong spiritual attachment to Old Minto. Elders and their descendents go there to camp, and keep up graves of their ancestors. The cabins, church, community hall and store building still exist today.



*Dedicated to preserving the Athabascan way of life.*

**CULTURAL HERITAGE & EDUCATION INSTITUTE**  
 P.O. Box 73030 • Fairbanks, Alaska 99707 • (907) 451-0923 • FAX (907)451-0910  
 website-<http://www.ankn.uaf.edu/chei> Email-Chei@mosquiltonet.com

4-1-04

Senator Georgianna Lincoln  
 Senator Ralph Seekins  
 Senator Gary Wilken  
 Senator Therrialt

Representative Al Kookeah  
 Representative Carl Morgan  
 Representative Hugh "Bud" Fate  
 Representative David Guttenberg  
 Representative James A. Holm  
 Representative Jim Whitaker  
 Representative John B. Coghill, Jr.

With Respect to Senators and Representatives,

The Cultural Heritage and Education Institute would like to strongly support and recommend your affirmative vote of bill 132. This bill allows for the transfer of approximately 32 surveyed acres of land, the Old Minto Village site, section 28, township 1 north, range 8 west and Fairbanks Meridian, from the Minto Flats Wildlife Refuge to The Native Village of Minto.

Founded in the year 1915 by Chief Charlie, Old Minto is a Historic and Traditional site where Athabascan Elders feel their connection to the earth the strongest, indeed it is the spiritual center of their people. For the Minto peoples, it is here that one goes to for healing, for spiritual connection, and to visit the old resting places of their ancestors. The village was moved in 1969 due to bank erosion and flooding, but the people continue to have strong ties to their homeland. Knowing where one comes from is important to the cultural identity of Minto Athabascans.

The Cultural Heritage and Education Institute has held many important culture, heritage, language and recovery camps for the people of Minto as well as for others in the spirit of sharing Athabascan culture, wisdom, and traditional native ways of knowing. The Minto Family Recovery Camp has helped hundreds of people since 1989. It is the place where the stories are told, and where they can be heard in the setting most conducive for youth to learn. The people of Minto continually visit this special place, by boat, dog sled or snow machine. Whether it

*"In the old days . . . everybody belonged to a clan. In Minto, there are four: Caribou (Bedzeyh Ti Xwi'ana). Fishtail (Ch'echalvu). Ptarmigan (Tehkhuw) and . . ."*



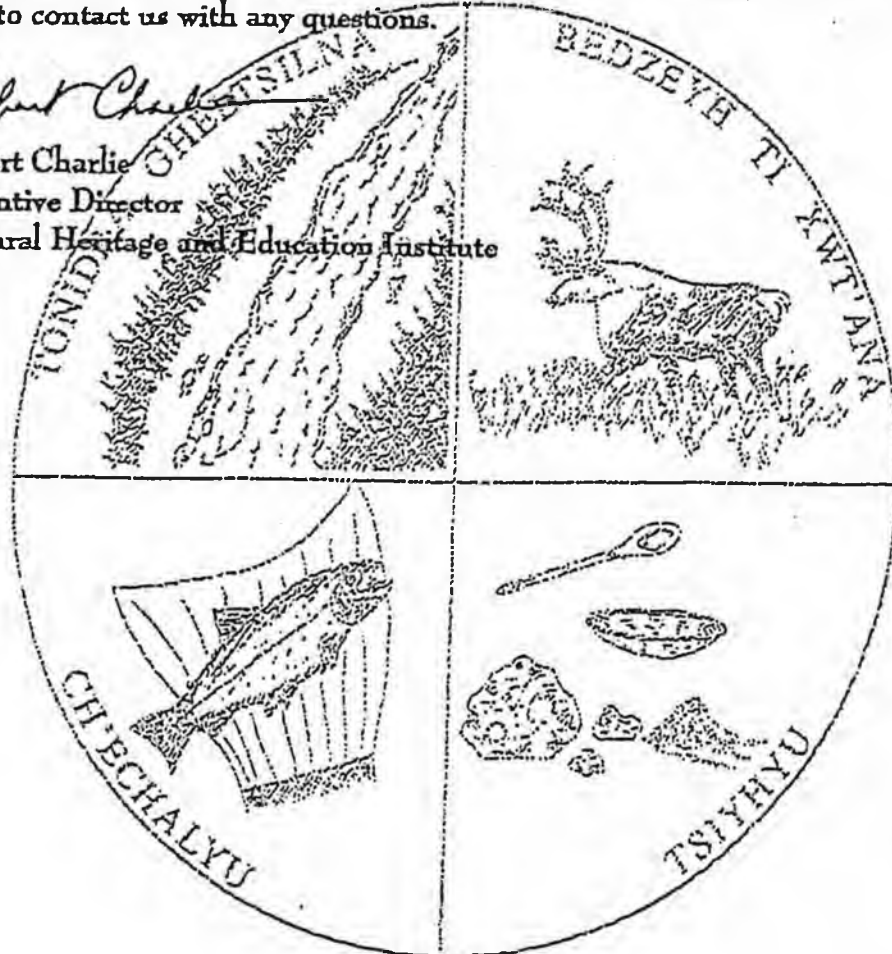
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 website-<http://www.arkn.uaf.edu/chel> Email-[Chei@mosqultonet.com](mailto:Chei@mosqultonet.com)

*is hunting, fishing, basket making or storytelling, the message for the youth is the same; this is our place, where we belong and where our ancestors speak to the spirit of our peoples.*

This land has always belonged to these peoples. It is our belief that it should remain with them. Thank you for your attention to this important matter. Feel free to contact us with any questions.

*Robert Charlie*  
 Robert Charlie  
 Executive Director  
 Cultural Heritage and Education Institute



*"In the old days . . . everybody belonged to a clan. In Minto, there are four: Caribou (Bedzevh TI Xwt'ana)*

# Tanana Chiefs Conference

Chief Peter John Tribal Building

122 First Avenue, Suite 600

Fairbanks, Alaska 99701-4897

(907) 452-8251 Fax: (907) 459-3850

April 7, 2004

## SUBREGIONS

### KUSKOKWIM

McGroth  
Medfra  
Nikolai  
Takotna  
Tallad

Senator Georgianna Lincoln  
Senator Ralph Seekins  
Senator Gary Wilken  
Senator Therrialt

Representative Al Kookesh  
Representative Carl Morgan  
Representative Hugh "Bud" Fate  
Representative David Guttenberg  
Representative James A. Holm  
Representative Jim Whitaker  
Representative John B. Coghill, Jr.

### LOWER YUKON

Arvik  
Grayling  
Holy Cross  
Shageluk

### UPPER TANANA

Dor Lake  
Eagle  
Healy Lake  
Nainway  
Tanacross  
Tetlin  
Tok

## Honorable Senators and Representatives:

I am writing today to express support for SB 132 on behalf of Tanana Chiefs Conference (TCC) and the Old Minto Family Recovery Camp. TCC operates the Old Minto Family Recovery Camp, an alcohol and drug rehabilitation facility, on the land that would be transferred by SB 132. As an affected entity, TCC supports and recommends passage of SB 132, which would transfer of approximately 32 acres of land at the Old Minto Village site from the Minto Flats Wildlife Refuge to the Minto Village Council.

The Old Minto Family Recovery Camp has held many substance abuse treatment sessions at the Old Minto site building resiliency for patients in recovery by sharing Athabascan culture, wisdom, and traditional Native ways of knowing. In this way the Old Minto Family Recovery Camp has helped hundreds of people since its opening 1989. It is a place where stories are told, and where they can be heard in a setting most conducive for patients to become sober.

The people of (New) Minto continue to visit this special place, by boat, dog sled, and snow machine throughout the year, checking on staff and patients to support them on their journey to sobriety. The people of Minto also support our yearly Sobriety Potlatch with hundreds of people in attendance. The sober Elders of Minto share their stories of sobriety with the patients during a 4-day period as they show the patients how to prepare traditional foods. These lessons are invaluable to the patients, helping them to recover who they are as sober Alaska Native people.

The land at Old Minto has always belonged to the Minto people. And it is our belief that it should remain with them. Cultural Heritage Education Institute's letter of support on SB 132 details the history of Old Minto as follows:

"Founded in the year 1915, by Chief Charlie, Old Minto is a Historic and Traditional site where Athabascan Elders feel their connection to the earth the strongest, indeed it is the spiritual center of their people. For the Minto peoples, it is here that one goes to for

### YUKON FLATS

Arctic Village  
Beaver  
Birch Creek  
Canyon Village  
Chalkyitsak  
Circle  
Fort Yukon  
Venetie

### YUKON KORYUKUK

Galena  
Huslia  
Kaitag  
Koyukuk  
Nulato  
Ruby

### YUKON TANANA

Alatna  
Alikakel  
Evansville  
Fairbanks  
Hughes  
Lake  
Minchumina  
Manley Hot  
Springs  
Minto  
Nenana  
Rampart  
Stevens Village  
Tanana

healing, for spiritual connection, and to visit the old resting places of their ancestors. The village was moved in 1969 due to bank erosion and flooding, but the people continue to have strong ties to their homeland. Knowing where one comes from is important to the cultural identity of Minto Athabascans... Whether it is hunting, fishing, basket making or storytelling, the message for the youth is the same; *this is our place, where we belong and where our ancestors speak to the spirit of our peoples.*"

It cannot be said any better than this so. Please include Tanana Chiefs Conference and the Old Minto Family Recovery Camp as supporters of the land being returned to the Minto people.

Thank you for your attention to this important matter. Feel free to contact me with any questions.

Sincerely,

TANANA CHIEFS CONFERENCE



Harold "Buddy" Brown, Esq.  
President and Chairman

cc: Old Minto Recovery Camp

## *Old Minto Village Site*

### Minto Tribal Council Resolution # 03 - 06

Whereas, The land is like our parent, providing us with nourishment and the foundation of our culture, and

Whereas, The Minto people have lived on the land of the Minto Flats continuously for centuries, relocating from the Old Village Site to the present location due to flooding conditions at the Old Site, and

Whereas, Even though the people had to relocate to a new village site, the people of Minto continuously travel to and stay at the Old Village Site to renew the spiritual connection to the site, and participate in cultural activities, and

Whereas, The Old Village Site is still the home of the people who were born there, the connection has never left them, and if the land were granted to the people of Minto this connection would be secure for future generations, and

Whereas, The Minto Village Council is the governing body of the Native Village of Minto, representing all the Minto people, and as such is the most appropriate entity to receive the land and to care for it for generations to come, and

Whereas, The Minto Village Council is a responsible land manager and has the ability to protect the land and its resources, including the important services provided by the Old Minto Recovery Camp that is so valuable for alcohol treatment, as well as the Cultural Heritage and Education Institute.

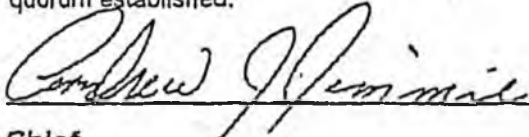
Whereas, It is in the best interest of the State of Alaska to protect the rich cultural heritage of Alaska's indigenous people by transferring the Old Minto

Village Site land, and the responsibility of caring for its cultural significance, to the Native Village of Minto.

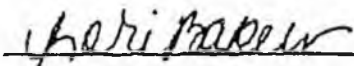
Now Therefore Be It Resolved that the Minto people support the transfer of approximately 32 acres of land at the Old Minto Village Site from the Minto Flats Wildlife Refuge to the Native Village of Minto through the most expedient way available to the State to make such transfer.

#### Certification

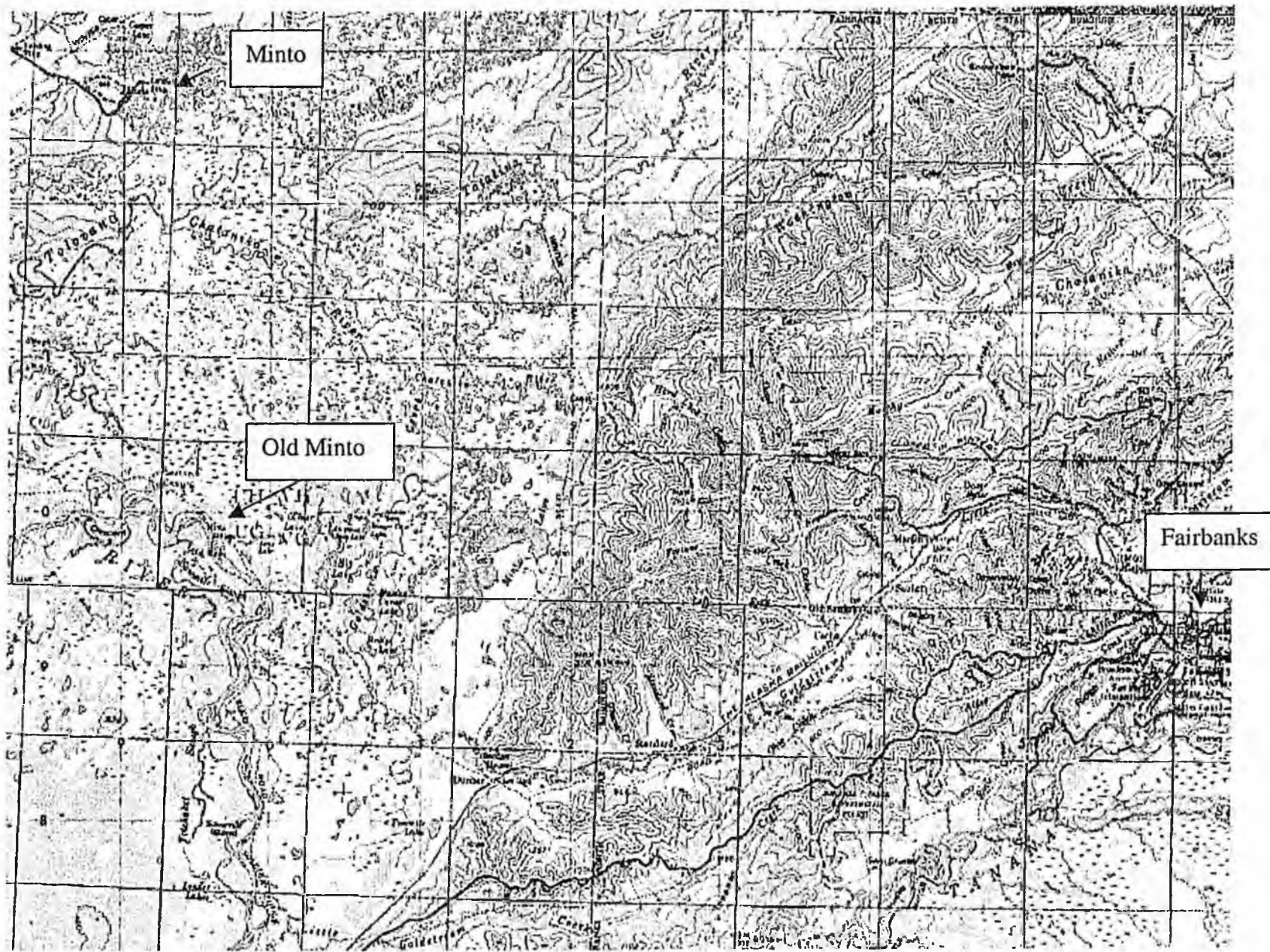
This resolution was adopted by the Minto Village Council by a vote of 5 in favor, 0 opposed, and \_\_\_ abstaining, at a meeting of the Tribal Council where notice was posted and a quorum established.

  
\_\_\_\_\_

Chief

  
\_\_\_\_\_

Secretary/Treasurer



# FISCAL NOTE

**STATE OF ALASKA**  
**2004 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: SB132CS(CRA)-DNR-LSME  
 () Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): 4/15/2004 Dept. Affected: Natural Resources  
 Title: Minto State Game Refuge and Townsite RDU: Resource Development  
 Component: Land Sales and Municipal Entitlement  
 Sponsor: Sen. Lincoln  
 Requester: Sen RES Component No.: 2460

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES (GF 1004)</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type—Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2004) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

This legislation directs DNR to convey a parcel of state land to the Minto Village Council. This proposed Legislation will have no fiscal impact on the department.

Prepared by: Bob Loeffler, Director  
Mining, Land and Water  
 Approved by: Thomas Irwin, Commissioner  
 Agency: Natural Resources

Phone 269-8600  
 Date/Time 4/15/04  
 Date 4/15/04