

ALASKA LEGISLATIVE COMMITTEE REPORTS  
1925 SRES SB 796

1925

Bradley  
4/21/82

*amendments made in finance are  
outlined in pink*

Original sponsor: Ray

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 796 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing for the management of state-owned  
7 land in the Haines area; establishing the Alaska Chilkat  
8 Bald Eagle Preserve and the Haines State Forest Resource  
9 Management Area; and providing for an effective date."

0 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

1 \* Section 1. AS 41.20 is amended by adding new sections to read:

2 ARTICLE 16. ALASKA CHILKAT BALD EAGLE PRESERVE.

3 Section 41.20.506. DECLARATION OF PURPOSE. (a) The purpose of  
4 AS 41.20.506 - 41.20.525 is to establish the state-owned land and water  
5 described in AS 41.20.507(k) as the Alaska Chilkat Bald Eagle Preserve  
6 as part of the state park system. The primary purpose of establishing  
7 the Alaska Chilkat Bald Eagle Preserve is to protect and perpetuate the  
8 Chilkat bald eagles and their essential habitats within the Alaska  
9 Chilkat Bald Eagle Preserve in recognition of their statewide, nation-  
0 ally, and internationally significant values in perpetuity.

1 (b) The Alaska Chilkat Bald Eagle Preserve is also established to

2 (1) protect and sustain the natural salmon spawning and  
3 rearing areas of the Chilkat River and Chilkoot River systems within the  
4 preserve in perpetuity;

5 (2) provide continued opportunities for research, study and  
6 enjoyment of bald eagles and other wildlife;

7 (3) ensure to the maximum extent practicable water quality  
8 and necessary water quantity under applicable laws;

9 (4) provide for other public uses consistent with the primary

1 purpose for which the Alaska Chilkat Bald Eagle Preserve is established;  
2 (5) provide an opportunity for the continued traditional and  
3 natural resource based lifestyle of the people living in the general  
4 areas described in AS 41.20.507(k), consistent with the other purposes  
5 of AS 41.20.506(a) and (b).

6 (c) It is the intent of the legislature in enacting AS 41.20.506 -  
7 41.20.525 to provide sufficient protection for the purposes for which  
8 the Alaska Chilkat Bald Eagle Preserve is established. Accordingly, the  
9 establishment of the Alaska Chilkat Bald Eagle Preserve and the Haines  
10 State Forest Resource Management Area (AS 41.15.500 - 41.15.520) is  
11 determined to represent a proper balance between the reservation of  
12 state public domain land and water for bald eagle preserve purposes and  
13 state public domain land and water more appropriate for multiple use.  
14 Therefore, the legislature determines that there is no need for legisla-  
15 tion expanding or contracting the boundary of the Alaska Chilkat Bald  
16 Eagle Preserve in the future; the legislature further determines that  
17 study by a state agency of the expansion or contracting of the boundary  
18 of the preserve shall be conducted under AS 41.20.507(j).

19 (d) Inasmuch as the area described in AS 41.20.507(k) exceeds 640  
20 acres, AS 41.20.506 - 41.20.525 are intended to close the area to mul-  
21 tiple use in conformity with AS 38.05.300 and the land is dedicated as a  
22 special purpose site under art. VIII, sec. 7 of the state constitution.

23 Sec. 41.20.507. ESTABLISHMENT AND MANAGEMENT. (a) Subject to  
24 valid existing rights, the land and water presently owned by the state  
25 and all land and water acquired in the future by the state lying within  
26 the boundaries described in (k) of this section are designated the  
27 Alaska Chilkat Bald Eagle Preserve and assigned to the Department of  
28 Natural Resources for control, development, and maintenance.

29 (b) Private land, approved or pending Native allotments, pending

1 and approved land selections made by the Haines Borough under state law  
2 on the effective date of this Act, University of Alaska grant land not  
3 located within the Chilkat River Critical Habitat Area established by  
4 AS 16.20.230(8) and existing transportation and utility corridors  
5 located partially or completely within the Alaska Chilkat Bald Eagle  
6 Preserve are excluded from the Alaska Chilkat Bald Eagle Preserve. The  
7 commissioner of natural resources may not acquire private land or  
8 University of Alaska grant land located partially or completely within  
9 the Alaska Chilkat Bald Eagle Preserve by eminent domain for any purpose.

0 (c) Approved or pending Native allotments located partially or  
1 completely within the Alaska Chilkat Bald Eagle Preserve are not ad-  
2 versely affected by the establishment of the Alaska Chilkat Bald Eagle  
3 Preserve and all approved allotments and all pending allotments located  
4 partially or completely within the preserve shall be treated as private  
5 land.

6 (d) The Department of Fish and Game is responsible for the manage-  
7 ment of fish and game resources in the Alaska Chilkat Bald Eagle Pre-  
8 serve under applicable law and consistent with the purposes of AS 41.-  
9 20.506 - 41.20.525.

0 (e) The Department of Natural Resources shall consult with the  
1 Department of Fish and Game, the United States Fish and Wildlife Ser-  
2 vice, a local governing body of a municipality, any local fish and  
3 game advisory committees, and the Alaska Chilkat Bald Eagle Preserve  
4 Advisory Council established by AS 41.20.515 before adoption of reason-  
5 able regulations governing public use and protection of the Alaska  
6 Chilkat Bald Eagle Preserve. The Department of Fish and Game shall  
7 consult with the Department of Natural Resources and the Alaska Chilkat  
8 Bald Eagle Preserve Advisory Council in proposing regulations governing  
9 fish and game management in the Alaska Chilkat Bald Eagle Preserve for

1 adoption by the Board of Fisheries or the Board of Game. The Department  
 2 of Fish and Game and the Department of Natural Resources shall cooperate  
 3 with the United States Fish and Wildlife Service in its administration  
 4 of federal law governing the conservation of bald eagles.

5 (f) The state land and water described in (k) of this section are  
 6 closed to mineral entry under AS 38.05.135 - 38.05.280, to commercial  
 7 harvest of timber, and to sale under state land disposal laws. *deleted*  
 8 The commissioner of natural resources may lease the land described in (k) of  
 9 this section under AS 38.05.070 - 38.05.105 for a purpose consistent  
 10 with AS 41.20.506(a); a municipality may select land within the Alaska  
 11 Chilkat Bald Eagle Preserve under law.

12 (g) Continued opportunities for traditional uses of the Alaska  
 13 Chilkat Bald Eagle Preserve at levels and by methods and means that are  
 14 compatible with the protection of the bald eagle population are guaran-  
 15 teed. These historically compatible uses include but are not limited to  
 16 hunting, trapping, fishing, berry picking, other subsistence and recrea-  
 17 tional uses, operation of motorized vehicles, and the harvesting of  
 18 personal-use firewood. The level and method or means of traditional use  
 19 *selected* ~~may continue~~ *shall be permitted to* subject to reasonable regulation unless the director of  
 20 the division of parks, Department of Natural Resources, after consulta-  
 21 tion with the Alaska Chilkat Bald Eagle Preserve Advisory Council, makes  
 22 a finding that the level or method and means of use is causing signifi-  
 23 cant resource damage that is inconsistent with AS 41.20.506(a). The  
 24 director of the division of parks shall hold a public hearing in Haines  
 25 and Klukwan before restricting a traditional use permitted under this  
 26 section.

27 (h) If privately owned land, ~~University of Alaska grant land,~~  
 28 valid mining rights, existing mineral leases, subsurface rights on  
 29 private land, or other valid occupancy is surrounded by state land of

1 the Alaska Chilkat Bald Eagle Preserve or if privately owned land,  
2 University of Alaska grant land, federal land, municipal land, or state  
3 land not described in (k) of this section, valid mining claims, subsur-  
4 face rights, or other valid occupancy on land not described in (k) of  
5 this section does not have reasonable, timely, and economically feasible  
6 access and egress by means other than crossing land designated as Alaska  
7 Chilkat Bald Eagle Preserve land in (k) of this section, the director of  
8 the division of parks shall grant a private landowner, the University of  
9 Alaska, a holder of valid existing rights to land, or a state agency,  
0 ~~municipality~~, or federal agency rights necessary to assure reasonable,  
1 timely, and economically feasible access and egress. The rights of  
2 access and egress granted under this subsection are subject to reasonable  
3 regulation and stipulations established by the director of the division  
4 of parks after consulting with the Alaska Chilkat Bald Eagle Preserve  
5 Advisory Council to protect the purposes and values of the Alaska Chilkat  
6 Bald Eagle Preserve and to minimize adverse environmental impacts in the  
7 preserve. The director of the division of parks shall give favorable  
8 consideration to applications for utility rights-of-way that are com-  
9 patible with AS 41.20.506(a).

0 (i) The director of the division of parks and the Alaska Chilkat  
1 Bald Eagle Advisory Council established under AS 41.20.515, in ~~written~~  
2 consultation with the United States Fish and Wildlife Service, the  
3 Department of Fish and Game, the Chilkat Indian Village, the Chilkoot  
4 Indian Association, and other appropriate groups, may use information  
5 gained through cooperative resource studies in the development of the  
6 management plan for the Alaska Chilkat Bald Eagle Preserve and in deci-  
7 sions affecting the management and administration of the preserve. The  
8 director of the division of parks and the advisory council shall investi-  
9 gate the need for additional research to increase knowledge and under-

standing of the natural and cultural resources of the area and to enhance the effective management of the Alaska Chilkat Bald Eagle Preserve.

(j) An agency of the state may not participate or cooperate with a federal or private study considering additions to or deletions from the area of the Alaska Chilkat Bald Eagle Preserve without giving 90 days prior notice to the Alaska Chilkat Bald Eagle Preserve Advisory Council. The director of the division of parks may waive the notice required by this subsection on his determination in writing to the advisory council that an emergency necessitates immediate study or a shorter period of notice to the advisory council.

(k) Except for University of Alaska grant land, the land and water owned by the state and all land and water acquired by the state in the future lying within the following described parcels are designated as the Alaska Chilkat Bald Eagle Preserve:

- (1) Township 26 South, Range 55 East, Copper River Meridian
  - Section 12: that portion within USS 3708
  - Section 13
  - Section 23: SE1/4NE1/4, NE1/4SE1/4, E1/2NW1/4SE1/4, S1/2SE1/4
  - Sections 24 and 25
  - Section 26: E1/2
  - Section 33: SE1/4SE1/4SE1/4
  - Section 34: E1/2NE1/4, E1/2SW1/4NE1/4, SE1/4NE1/4SW1/4, E1/2SW1/4SW1/4, SW1/4SW1/4SW1/4, SE1/4SW1/4, SE1/4
  - Section 35
  - Section 36: NE1/4NW1/4NE1/4, W1/2W1/2NE1/4, NW1/4, N1/2SW1/4, N1/2SW1/4SW1/4, SW1/4SW1/4SW1/4, NW1/4SE1/4-SW1/4, NW1/4SE1/4
- (2) Township 26 South, Range 56 East, Copper River Meridian

1 Section 7: SW1/4NE1/4, S1/2NW1/4, S1/2

2 Section 8: SE1/4SW1/4NW1/4, SE1/4NW1/4, SW1/4, that  
3 portion of the S1/2NE1/4 within USS 3708

4 Section 17: W1/2NW1/4

5 Section 18

6 Section 19: W1/2, SW1/4SE1/4

7 Section 30: NE1/4NW1/4NE1/4, W1/2NW1/4NE1/4, NW1/4,  
8 W1/2SW1/4

9 (3) Township 27 South, Range 55 East, Copper River Meridian

10 Section 2: NW1/4, W1/2NE1/4SW1/4, NW1/4SW1/4, N1/2SW1/4-  
11 SW1/4, SW1/4SW1/4SW1/4, NW1/4SE1/4SW1/4, except USS 3744

12 Section 3

13 Section 4: NE1/4NE1/4NE1/4, S1/2NE1/4NE1/4, E1/2SW1/4-  
14 NE1/4, SE1/4NE1/4, E1/2SE1/4SW1/4, SE1/4

5 Section 8: SE1/4SE1/4SW1/4, S1/2S1/2SE1/4, N1/2SE1/4-  
6 SE1/4

7 Section 9: E1/2, E1/2NW1/4, N1/2NE1/4SW1/4, SE1/4NE1/4-  
8 SW1/4, NW1/4SW1/4SW1/4, S1/2S1/2SW1/4

9 Section 10: W1/2W1/2NE1/4, W1/2

10 Section 15: NW1/4NW1/4NE1/4, S1/2NW1/4NE1/4, SW1/4NE1/4,  
11 W1/2, W1/2SE1/4

12 Section 16: E1/2, NW1/4, N1/2SW1/4, NW1/4SE1/4SW1/4,  
13 E1/2SE1/4SW1/4

14 Section 17: N1/2NE1/4, NE1/4SW1/4NE1/4, SE1/4NE1/4,  
15 E1/2NE1/4NW1/4, N1/2NE1/4SE1/4, SE1/4NE1/4SE1/4

16 Section 21: E1/2, E1/2E1/2NW1/4, SW1/4SE1/4NW1/4, E1/2-  
17 SW1/4, SE1/4SW1/4SW1/4

18 Section 22: SW1/4NE1/4NE1/4, W1/2E1/2, W1/2SE1/4NE1/4,  
19 W1/2, W1/2E1/2SE1/4

1 Section 26: NW1/4NW1/4NW1/4, S1/2NW1/4NW1/4, SW1/4NW1/4,  
2 W1/2E1/2SW1/4, W1/2SW1/4

3 Section 27

4 Section 28: E1/2, E1/2W1/2, E1/2W1/2W1/2

5 Section 33: N1/2NE1/4, E1/2SW1/4NE1/4, NW1/4SW1/4NE1/4,  
6 SE1/4NE1/4, E1/2NE1/4NW1/4, NE1/4SE1/4, E1/2NW1/4SE1/4,  
7 N1/2SE1/4SE1/4, SE1/4SE1/4SE1/4

8 Section 34

9 Section 35: NW1/4NW1/4NE1/4, S1/2NW1/4NE1/4, SW1/4NE1/4,  
0 NW1/4SE1/4NE1/4, S1/2SE1/4NE1/4, W1/2, SE1/4

1 Section 36: W1/2SW1/4SW1/4

2 (4) Township 28 South, Range 55 East, Copper River Meridian

3 Section 1: S1/2SW1/4NW1/4, SW1/4

4 Section 2

5 Section 3: NE1/4, N1/2NW1/4, N1/2SW1/4NW1/4, SE1/4NW1/4,  
6 NE1/4NE1/4SW1/4, N1/2SE1/4, SE1/4SE1/4

7 Section 4: E1/2NE1/4NE1/4

8 Section 10: that portion of Mosquito Lake

9 Section 11: N1/2, N1/2SE1/4, NE1/4SW1/4SE1/4, SE1/4SE1/4  
0 except USS 3431

1 Section 12

2 Section 13: E1/2, NE1/4NW1/4, E1/2NW1/4NW1/4, NW1/4NW1/4  
3 NW1/4, NW1/4SE1/4NW1/4, E1/2SE1/4NW1/4

4 Section 15: that portion of Mosquito Lake

5 Section 19: Lot 13

6 Section 24: E1/2E1/2, NE1/4NW1/4NE1/4

7 Section 25: Lots 9 - 11 and 16

8 Section 26: that portion of Lot 5 and NE1/4NW1/4 south  
9 of the Haines Highway and Lots 1, 12, and 17

1 Section 27: Lots 5 - 8, 10, 13, 18, 19, and 22

2 Section 28, except S1/2S1/2, the south 660 feet of

3 Lots 5 - 7, and that portion north of the Haines Highway

4 Section 29, except S1/2S1/2S1/2, NE1/4SE1/4SE1/4, and

5 Lots 9, 14, 15, and 18

6 Section 30: Lot 11, and Lot 6 except the south 660 feet

7 Section 33: S1/2SE1/4SE1/4

8 Section 34: S1/2S1/2S1/2

9 Section 35: Lot 1

10 Section 36, except SW1/4NW1/4, S1/2, and the south 660

11 feet of Lots 3 - 4

12 (5) Township 28 South, Range 56 East, Copper River Meridian

13 Section 7: SW1/4NW1/4NW1/4, SW1/4NW1/4, SW1/4SE1/4NW1/4,

14 W1/2NE1/4SW1/4, SE1/4NE1/4SW1/4, NW1/4SW1/4, S1/2SW1/4,

15 SW1/4SW1/4SE1/4

16 Section 17: W1/2SW1/4SW1/4, SE1/4SW1/4SW1/4

17 Section 18: W1/2W1/2NE1/4, E1/2SW1/4NE1/4, SW1/4SE1/4-

18 NE1/4, W1/2, SE1/4

19 Section 19

20 Section 20: W1/2W1/2

21 Section 29: Lots 8 - 11

22 Section 30, except Lots 1, 4, 5, 8, 15 - 17, and the

23 NE1/4SW1/4

24 Section 31

25 Section 32, except USS 991, USS 2455, and Lots 1, 2,

26 and 24

27 Section 33. S1/2 except USS 2455 and Lots 18 - 21

28 Section 34: Lots 1, 2, S1/2NE1/4SW1/4, W1/2SW1/4SE1/4

29 SE1/4SW1/4SE1/4

- 1 (6) Township 28 South, Range 57 East, Copper River Meridian  
 2 Section 22: NE1/4SW1/4, E1/2SE1/4SW1/4, W1/2NW1/4SE1/4,  
 3 SW1/4SE1/4, NW1/4SE1/4SE1/4, S1/2SE1/4SE1/4  
 4 Section 26: W1/2SW1/4NW1/4, W1/2W1/2SW1/4  
 5 Section 27: E1/2E1/2, N1/2NW1/4NE1/4, SE1/4NW1/4NE1/4  
 6 Section 34: NE1/4NE1/4, NE1/4SE1/4NE1/4  
 7 Section 35: SW1/4SW1/4NE1/4, NW1/4NW1/4NW1/4, S1/2NW1/4-  
 8 NW1/4, S1/2NW1/4, E1/2SW1/4, NW1/4NW1/4SE1/4, S1/2NW1/4  
 9 SE1/4, S1/2SE1/4, SW1/4NE1/4SE1/4
- 10 (7) Township 29 South, Range 55 East, Copper River Meridian  
 11 Section 1: S1/2NE1/4NE1/4, E1/2SW1/4NE1/4, N1/2SE1/4-  
 12 NE1/4, SW1/4SE1/4NE1/4, NW1/4NE1/4SE1/4, NE1/4NW1/4SE1/4
- 13 (8) Township 29 South, Range 56 East, Copper River Meridian  
 14 Section 1  
 15 Section 2: N1/2NE1/4, E1/2SE1/4NE1/4, NE1/4NW1/4, E1/2-  
 16 NE1/4SE1/4, NE1/4SE1/4SE1/4  
 17 Section 4: W1/2NW1/4, W1/2SE1/4NW1/4, SE1/4SE1/4NW1/4,  
 18 SW1/4, W1/2NW1/4SE1/4, SE1/4NW1/4SE1/4, SW1/4SE1/4,  
 19 W1/2SE1/4SE1/4, SE1/4SE1/4SE1/4  
 20 Section 5: E1/2, N1/2NW1/4, SE1/4NE1/4SW1/4, E1/2SE1/4-  
 21 SW1/4  
 22 Section 6: N1/2N1/2NE1/4, NE1/4NE1/4NW1/4, S1/2NE1/4-  
 23 NW1/4, S1/2NW1/4NW1/4, N1/2SW1/4NW1/4, NW1/4SE1/4NW1/4  
 24 Section 8, except SW1/4SW1/4 and S1/2SE1/4SW1/4  
 25 Section 9  
 26 Section 10: S1/2S1/2NE1/4, SW1/4NE1/4NW1/4, NW1/4NW1/4,  
 27 S1/2NW1/4, S1/2  
 28 Section 11: S1/2NE1/4, S1/2S1/2NW1/4, NE1/4SW1/4NW1/4,  
 29 N1/2SE1/4NW1/4, S1/2

1 Sections 12, 13, 14

2 Section 15: N1/2, N1/2N1/2SW1/4, E1/2SE1/4, NW1/4SE1/4,  
3 E1/2SW1/4SE1/4

4 Section 16: E1/2NE1/4, E1/2W1/2NE1/4, W1/2NW1/4NE1/4,  
5 NW1/4SW1/4NE1/4, N1/2N1/2NW1/4, SE1/4NE1/4NW1/4, NE1/4-  
6 SE1/4NW1/4

7 Section 17: N1/2NE1/4NE1/4

8 Section 22: N1/2NE1/4NE1/4, NE1/4NW1/4NE1/4

9 Section 23: that portion of the N1/2NW1/4 lying west of  
10 Chilkat Lake

11 (9) Township 29 South, Range 57 East, Copper River Meridian

12 Section 4: NW1/4NW1/4SW1/4, S1/2NW1/4SW1/4, SW1/4SW1/4,  
13 NW1/4SE1/4SW1/4, S1/2SE1/4SW1/4

14 Section 5, except N1/2NE1/4, NE1/4SE1/4NE1/4, and the  
15 north 660 feet and the east 660 feet of Lot 2

16 Sections 6 - 8

17 USS 907

18 Section 9: W1/2W1/2NE1/4, SE1/4SW1/4NE1/4, SW1/4SE1/4-  
19 NE1/4, NW1/4, S1/2

20 Section 10: Lots 1 - 4, W1/2NE1/4SW1/4, NW1/4SE1/4-  
21 SW1/4, E1/2SW1/4SE1/4SW1/4

22 Section 14: that portion west of the Haines Highway

23 Section 15, except NE1/4NE1/4 and Lots 7 - 10, 13 - 14

24 Sections 16 - 18

25 USS 786

26 Section 19: NE1/4NE1/4NE1/4

27 Section 20: NE1/4, E1/2NW1/4, NW1/4NW1/4, E1/2SW1/4NW1/4,  
28 NE1/4SE1/4, N1/2NW1/4SE1/4, SE1/4NW1/4SE1/4, NE1/4SE1/4-  
29 SE1/4

1 Sections 21 and 22

2 Section 23: that portion west of the Haines Highway

3 Section 25: that portion west of the Haines Highway

4 Section 26: that portion west of the Haines Highway

5 Section 27

6 Section 28: NE1/4, NE1/4NW1/4, N1/2NW1/4NW1/4, N1/2SE1/4

7 NW1/4, NE1/4SE1/4, N1/2NW1/4SE1/4, SE1/4NW1/4SE1/4,

8 NE1/4SE1/4SE1/4

9 Section 34: NE1/4, NE1/4NW1/4, NE1/4SE1/4NW1/4, NE1/4-

10 SE1/4, NE1/4NW1/4SE1/4, E1/2SE1/4SE1/4

11 Section 35

12 Section 36: that portion west of the Haines Highway

13 (10) Township 29 South, Range 58 East, Copper River Meridian

14 Section 3: S1/2SW1/4NW1/4, SW1/4NE1/4SW1/4, W1/2SW1/4,

15 SE1/4SW1/4, S1/2SW1/4SE1/4

16 Section 4: SW1/4NE1/4NE1/4, W1/2NE1/4, SE1/4NE1/4, NW1/4,

17 NE1/4SW1/4, SE1/4

18 Section 9: NE1/4NE1/4

19 Section 10: N1/2, E1/2SW1/4, E1/2W1/2SW1/4, NW1/4NW1/4-

20 SW1/4, SE1/4

21 (11) Township 30 South, Range 57 East, Copper River Meridian

22 Section 1

23 Section 2: NE1/4, NE1/4NW1/4, N1/2NW1/4NW1/4, SE1/4NW1/4-

24 NW1/4, N1/2SE1/4NW1/4, SE1/4SE1/4NW1/4, N1/2SE1/4,

25 N1/2SE1/4SE1/4

26 Section 3: NE1/4NE1/4NE1/4

27 Section 12: NE1/4, NE1/4NW1/4, NE1/4NW1/4NW1/4, NE1/4-

28 SE1/4NW1/4, W1/2NE1/4SE1/4, NE1/4NW1/4SE1/4, E1/2E1/2-

29 SE1/4, NW1/4SE1/4SE1/4

Section 13: NE1/4NE1/4NE1/4

(12) Township 30 South, Range 58 East, Copper River Meridian

Section 6: that portion west of the Haines Highway

Section 7: that portion west of the Haines Highway

Section 8: that portion west of the Haines Highway

Section 16: that portion west of the Haines Highway

Section 17: that portion west of the Haines Highway

Section 18: Lots 1 - 3 and 5, SW1/4NE1/4, N1/2SE1/4NW1/4

SE1/4SE1/4NW1/4, SE1/4

(l) Historical, cultural, and burial sites identified in the Alaska Chilkat Bald Eagle Preserve management plan are not available for surface disposal under AS 41.20.507(f) and shall be managed by the director of parks to prevent vandalism, destruction, and desecration.

(m) The director of the division of parks and the director of the division of forestry shall consult in the preparation of the management plan prepared under AS 41.20.507(i) to promote effective, efficient, and coordinated administration of the Haines State Forest Resource Management Area and the Alaska Chilkat Bald Eagle Preserve for the purposes and values for which each is established.

(n) University of Alaska grant land located within the boundary of the Chilkat River Critical Habitat Area established under AS 16.20.230(8) is excluded from the Alaska Chilkat Bald Eagle Preserve.

Sec. 41.20.515. ALASKA CHILKAT BALD EAGLE PRESERVE ADVISORY COUNCIL. (a) A 12-member Alaska Chilkat Bald Eagle Preserve Advisory Council is established. The members of the advisory council shall be selected under this section. Members of the advisory council or their alternates are entitled to the per diem and travel expenses authorized for members of state boards under AS 39.20.180.

(b) The governor may appoint individuals to the Alaska Chilkat

1 Bald Eagle Preserve Advisory Council representing the following inter-  
2 ests for a two-year term:

3 (1) a resident of the Haines Borough representing a conserva-  
4 tion organization; and

5 (2) a representative of the United States Fish and Wildlife  
6 Service.

7 (c) The mayor of the City of Haines, the mayor of the Haines  
8 Borough, the president of Klukwan, Inc., the chairman of the Council of  
9 the Chilkat Indian Village, and the chairman of the Chilkoot Indian  
10 Association are ex officio members of the Alaska Chilkat Bald Eagle  
11 Preserve Advisory Council. The mayor of the Haines Borough may recom-  
12 mend to the governor for appointment to the advisory council the name of  
13 a resident of the Haines Borough for the representation of commercial or  
14 industrial interests.

15 (d) The commissioner of fish and game, the director of the divi-  
16 sion of parks, and the director of the division of forestry, or their  
17 designees, serve ex officio as members of the Alaska Chilkat Bald Eag  
18 Preserve Advisory Council.

19 (e) The Alaska Chilkat Bald Eagle Preserve Advisory Council shall  
20 assist the Department of Natural Resources in the development and moni-  
21 toring of a management plan for the Alaska Chilkat Bald Eagle Preserve.  
22 The management plan shall be presented at public hearings in Haines and  
23 Klukwan before approval and implementation by the department.

24 (f) Members of the Alaska Chilkat Bald Eagle Preserve Advisory  
25 Council selected under (b) - (d) of this section may select alternates  
26 to act as members of the advisory council in their absence.

27 Sec. 41.20.525. EXISTING RIGHTS. The establishment of the Alaska  
28 Chilkat Bald Eagle Preserve under AS 41.20.506 - 41.20.525 does not  
29 enlarge, diminish, add to, or waive a requirement of law otherwise

1 applicable to the management or use of the state land of the Haines  
2 State Forest Resource Management Area (AS 41.15.500 - 41.15.520) or  
3 private land. An activity allowed under law on land not described in  
4 AS 41.20.507(k), including but not limited to an activity described in  
5 AS 41.20.507(g), timber harvest, mining, resource development, and  
6 recreation, is permitted so long as the activity is conducted in compi-  
7 tance with law.

8 \* Sec. 2. AS 41.15 is amended by adding new sections to read:

9 ARTICLE 3A. HAINES STATE FOREST RESOURCE MANAGEMENT AREA.

0 Sec. 41.15.500. HAINES STATE FOREST RESOURCE MANAGEMENT AREA. (a)

1 The purpose of AS 41.15.500 - 41.15.520 is to establish the land and  
2 water presently owned by the state and all land and water acquired in  
3 the future by the state lying within the boundaries described in AS 41.-  
4 15.510(a) as the Haines State Forest Resource Management Area. The  
5 primary purposes for the establishment of the Haines State Forest Re-  
6 source Management Area are the utilization, perpetuation, conservation,  
7 and production of the land and water including but not limited to the  
8 use of renewable and nonrenewable resources through multiple-use manage-  
9 ment and the continuation of other beneficial uses including traditional  
0 uses and other recreational activities.

1 (b) The responsibility for the management, control, development,  
2 and maintenance of the Haines State Forest Resource Management Area  
3 established under AS 41.15.500 - 41.15.520 is assigned to the Department  
4 of Natural Resources.

5 Sec. 41.15.510. BOUNDARIES AND MANAGEMENT OF HAINES STATE FOREST  
6 RESOURCE MANAGEMENT AREA. (a) Subject to valid existing rights, the  
7 land and water presently owned by the state and all land and water  
8 acquired in the future by the state lying within the following described  
9 parcels are designated as the Haines State Forest Resource Management

1 Area:

2 (1) All lands encompassed by U.S. Survey 3708, Tracts A, B  
3 and C but excluding U.S.M.S. 2206.

4 (2) Those mental health lands (MH-153) approved in the state  
5 selection letter from the United States Bureau of Land Management dated  
6 August 26, 1974, described as follows: Beginning at corner No. 1 of  
7 this tract which is common to angle point No. 5 of U.S. Survey 3708,  
8 then north  $02^{\circ}13'51''$  west 52.639 chains along the survey line to corner  
9 No. 2 of this tract which is common to angle point No. 6 of U.S. Survey  
10 3708, then north  $12^{\circ}01'18''$  west 13.346 chains to corner No. 3 of this  
11 tract which is common to angle point No. 7 of U.S. Survey 3708, then  
12 north  $53^{\circ}57'42''$  west 537.070 chains to corner No. 4 of this tract which  
13 is common to angle point No. 7-A of U.S. Survey 3708, then south  $0^{\circ}0'30''$   
14 east 63.06 chains to corner No. 5 of this tract, then south  $53^{\circ}57'42''$   
15 east 542.00 chains to corner No. 1 of this tract and angle point No. 5,  
16 U.S. Survey 3708, the point of beginning.

17 (3) Township 28 South, Range 56 East, Copper River Meridian  
18 Section 29: that portion of the N1/2 lying east of  
19 U.S.S. 3708

20 Section 34: NW1/4, SE1/4

21 (4) Township 28 South, Range 57 East, Copper River Meridian

22 (5) Township 28 South, Range 58 East, Copper River Meridian

23 (6) Township 29 South, Range 57 East, Copper River Meridian

24 Section 36: that portion of Lots 1, 5, 6, and 10 lying  
25 east of U.S.S. 3708

26 (7) Township 29 South, Range 58 East, Copper River Meridian

27 (8) Township 29 South, Range 59 East, Copper River Meridian

28 (9) Township 29 South, Range 60 East, Copper River Meridian  
29 Sections 19 - 36

- 1 (10) Township 29 South, Range 61 East, Copper River Meridian  
2 Sections 19 - 36
- 3 (11) Township 29 South, Range 62 East, Copper River Meridian  
4 Sections 19 and 20  
5 Sections 29 - 32
- 6 (12) Township 30 South, Range 57 East, Copper River Meridian  
7 Section 1: that portion of Lot 1 lying east of U.S.S.  
8 3708
- 9 (13) Township 30 South, Range 58 East, Copper River Meridian  
10 That portion lying east and south of U.S.S. 3708
- 11 (14) Township 30 South, Range 59 East, Copper River Meridian  
12 Sections 1- 10  
13 Section 12  
14 Sections 14 - 23  
15 Section 27: that portion lying west of the Haines  
16 Corporation boundary  
17 Sections 28 - 31  
18 Section 33
- 19 (15) Township 30 South, Range 60 East, Copper River Meridian
- 20 (16) Township 30 South, Range 61 East, Copper River Meridian
- 21 (17) Township 30 South, Range 62 East, Copper River Meridian  
22 Sections 5 - 8  
23 Sections 17 - 20  
24 Sections 29 - 32
- 25 (18) Township 31 South, Range 58 East, Copper River Meridian
- 26 (19) Township 31 South, Range 59 East, Copper River Meridian  
27 Sections 6 - 8  
28 Sections 16 - 22  
29 Sections 27 - 34

1 (20) Township 31 South, Range 60 East, Copper River Meridian  
2 Sections 1 - 4

3 Sections 9 - 15

4 Sections 22 - 24

5 Sections 35 and 36

6 (21) Township 31 South, Range 61 East, Copper River Meridian  
7 Sections 1 - 30

8 (22) Township 31 South, Range 62 East, Copper River Meridian  
9 Sections 5 - 8

10 Sections 17 - 20

11 Sections 31 and 32

12 (23) Township 32 South, Range 59 East, Copper River Meridian  
13 Sections 3 - 33

14 Sections 34 - 36: that portion lying north of the Tongass  
15 National Forest boundary

16 (b) Private land, University of Alaska grant land, existing trans-  
17 portation corridors, and borough selection within the Haines State  
18 Forest Resource Management Area are excluded from the Haines State  
19 Forest Resource Management Area. The commissioner of natural resources  
20 may not acquire private land or University of Alaska grant land located  
21 within the Haines State Forest Resource Management Area by eminent  
22 domain for any purpose.

23 (c) Approved or pending Native allotment applications located  
24 partially or completely within the Haines State Forest Resource Manage-  
25 ment Area are not adversely affected by the establishment of the Haines  
26 State Forest Resource Management Area and all approved allotments and  
27 all pending allotments shall be treated as private land.

28 (d) The division of forestry shall consult with the division of  
29 parks, the Department of Fish and Game, including each local fish and

1 game advisory committee with jurisdiction in the area, and the Alaska  
2 Chilkat Bald Eagle Preserve Advisory Council to promote effective,  
3 efficient, and coordinated administration of the Haines State Forest  
4 Resource Management Area and the Alaska Chilkat Bald Eagle Preserve for  
5 the values for which each is established.

6 (e) Resource studies undertaken by the Department of Natural  
7 Resources shall be designed to benefit the management and administration  
8 of the Haines State Forest Resource Management Area and the Alaska  
9 Chilkat Bald Eagle Preserve.

10 (f) The establishment of the Haines State Forest Resource Manage-  
11 ment Area has no effect on the terms and conditions of an existing  
12 permit or contract involving use of the land, water, or other resources  
13 of the Haines State Forest Resource Management Area.

14 Sec. 41.15.520. MULTIPLE-USE MANAGEMENT. (a) The Haines State  
15 Forest Resource Management Area shall be managed under the principles of  
16 multiple use and sustained yield as defined in AS 38.04.910, under  
17 AS 41.17, and under a management plan prepared by the Department of  
18 Natural Resources. The plan may not be adopted or revised without prior  
19 review by the Board of Forestry or without a public hearing held in  
20 Haines and Klukwan.

21 (b) The Department of Natural Resources shall periodically review  
22 and revise the management plan adopted for the Haines State Forest  
23 Resource Management Area under (a) of this section. The management plan  
24 shall be based on an existing operational level inventory and revised as  
25 future inventory information becomes available to the department.

26 (c) A copy of a management plan and any revision to it prepared by  
27 the Department of Natural Resources, reviewed by the Board of Forestry  
28 and adopted by the department after public hearings required under (a)  
29 of this section shall be provided to the legislature within 30 days of

1 its adoption or revision or within the first 10 days of the first  
2 session of the legislature to convene after its adoption or revision.

3 (d) The Department of Fish and Game is responsible for the manage-  
4 ment of fish and game resources in the Haines State Forest Resource  
5 Management Area under applicable law and in a manner consistent with  
6 AS 41.15.500 - 41.15.520 except that an opportunity for continued  
7 traditional use of the Haines State Forest Resource Management Area at  
8 levels and by traditional methods and means is guaranteed. The tradi-  
9 tionally compatible uses include but are not limited to fishing, hunting,  
10 trapping, berry picking, subsistence, and recreational uses, operation  
11 of motorized vehicles, and the harvest of personal-use firewood.

12 (e) The control of highway access and roadside structures within  
13 the Haines State Forest Resource Management Area is the responsibility  
14 of the Department of Natural Resources except that the Department of  
15 Transportation and Public Facilities is responsible for the repair and  
16 maintenance of public roads in the Haines State Forest Resource Manage-  
17 ment Area.

18 (f) The state land and water described in AS 41.15.510(a) are  
19 closed to sale under state land disposal laws. <sup>and to municipal selections made after effective date</sup> The commissioner of  
20 natural resources may lease the land described in AS 41.15.510(a) under  
21 AS 38.05.070 - 38.05.105 for a purpose consistent with AS 41.15.500(a)  
22 and a municipality may select land in the Haines State Forest Resource  
23 Management Area under law.

24 (g) The Department of Natural Resources shall consult with the  
25 Department of Fish and Game and the governing bodies of each municipi-  
26 ~~pality in the general area~~ during preparation of a management plan under  
27 (a) and (b) of this section and during formulation of regulations govern-  
28 ing the use of the Haines State Forest Resource Management Area. The  
29 Department of Fish and Game shall consult with the Department of Natural

1 Resources and local fish and game advisory committees before adopting  
2 regulations governing fish and wildlife management in the Haines State  
3 Forest Resource Management Area. Regulations may not be adopted by  
4 either department without prior review at a public hearing in Haines and  
5 Klukwan. *SP*

6 (h) The Department of Natural Resources may enter into cooperative  
7 management agreements with a person who holds title to or has a valid  
8 entry on land within or adjoining the boundaries of the Haines State  
9 Forest Resource Management Area.

10 \* Sec. 3. The management plan for the Alaska Chilkat Bald Eagle Preserve  
11 prepared by the Department of Natural Resources under AS 41.20.507(i) as  
12 enacted in sec. 1 of this Act shall be adopted and implemented within two  
13 years after the effective date of this Act.

14 \* Sec. 4. The management plan for the Haines State Forest Resource Manage-  
15 ment Area prepared by the Department of Natural Resources under AS 41.15.520  
16 enacted in sec. 2 of this Act shall be adopted and implemented within two  
17 years after the effective date of this Act. The Haines-Skagway Area Land Use  
18 Plan adopted by the Department of Natural Resources in 1979 shall be used as  
19 the basis for preparation of the initial management plan for the Haines State  
20 Forest Resource Management Area. Before approval of the management plan  
21 prepared under AS 41.15.520, management of the Haines State Forest Resource  
22 Management Area shall be conducted under the land use allocations and the  
23 appropriate management provisions of the Haines-Skagway Area Land Use Plan.

24 \* Sec. 5. This Act takes effect July 1, 1982.  
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29

State Marine  
Park System  
(establishing)

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 794 (FIN). (see pp. 247;635;740;835). Reported back to the House on May 7 by Resources with the committee recommending it be replaced with House Resources CS and as follows: Sutcliffe (Co-Chmn.) and Grussendorf signed no recommendation; Carney signed do pass; Fanning signed do not pass. To Rules.

House Resources version makes the following changes:

--Changes new AS 41.20.515(b), "Designation of Management Responsibility," to read: ". . . The Department of Fish and Game shall give written notice to [CONSULT WITH] the Department of Natural Resource before adoption of regulations governing fish and game management in a unit of the Alaska marine park system." (Bracketed material deleted, underlined material added.)

--Changes rewrite of AS 16.20.170, "Management of McNeil River and Cape Seniavin State Game Sanctuaries," by deleting: "Surface entry for oil and gas exploration and development and mineral leasing and the acquisition and development of mining rights within the Cape Seniavin State Game Sanctuary is prohibited." Changes (b) to read: "The provisions of AS 16.20.120 and 16.20.130 relating to the administration and multiple use of the Walrus Islands State Game Sanctuary apply also the Cape Seniavin State Game Sanctuary."

*Changes IN  
House*

Chilkat Bald  
Eagle Pres./  
Haines For.  
Res. Mgmt.  
Area

COMMITTEE SUBSTITUTE FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 796 (FIN)(AMENDED), (see pages 249;359;748;756). Reported back to the House on May 3 by Resources with the committee recommending it be replaced with House Resources CS and as follows: Fanning (Co-Chmn.), Barnes and Carney signed no recommendation; Sutcliffe signed do pass. To Rules.

The House Resources CS adds language to section governing use of land in the Bald Eagle Preserve: "A permittee or licensee of an owner of land or holder of valid existing rights to land may use access and egress granted under this subsection." (Added to subsection (h) on p. 5.) Also adds: "As used in this subsection, 'valid existing rights' includes but is not limited to valid mining rights, existing mineral rights, and subsurface rights."

Deletes provision which would have allowed members on the Alaska Chilkat Bald Eagle Preserve Advisory Council to receive per diem and travel expenses authorized for members of state boards under AS 39.20.180. Adds that the Governor must appoint to the Advisory Council a member of the Upper Lynn Canal fish and game advisory committee.

Changes provision relating to the management of land in the Haines State Forest Resource Mgmt. Area: "The control of highway access [AND ROADSIDE STRUCTURES] within the Haines State Forest Resource Management Area is the responsibility of the Department of Natural Resources . . ." (bracketed material deleted).

Real Estate  
Commission

SENATE BILL NO. 816, (see pages 325;681;692;761). Reported back to the House on May 6 by Finance with the committee



# Alaska State Legislature

## SENATE Resources Committee

Official Business

BETTIE FAHRENKAMP, Chairman  
VIC FISCHER, Vice-Chairman  
BRAD BRADLEY  
DICK ELIASON  
DON GILMAN  
BOB MULCAHY  
ARLISS STURGULEWSKI

TO: Billy Berrier, Director  
Legal Services

DATE: 4/14/82

ATTN: Bradley

FROM: Bettye Fahrenkamp *B.F.*  
Chairman

RE: FINAL: CSSSSB 796

POUCH V  
STATE CAPITOL  
JUNEAU, ALASKA 99811  
(907) 465-3834  
(907) 465-3835

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Attached is a copy of a work draft CSSSSB 796 that the Committee would like put into final form. We would like the final bill to incorporate the changes noted on the work draft. Instead of listing the individual changes in this memo I am attaching a staff memo that outlines the changes.

If you have any questions please contact Resa King at 465-3834.

When the bill is completed please return it to Room 211 Capitol Building.

Bradley  
4/13/82

Original sponsor: Ray

IN THE SENATE

BY THE RESOURCES COMMITTEE

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 796 (Resources)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWELFTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act providing for the management of state-owned land in the Haines area; establishing the Alaska Chilkat Bald Eagle Preserve and the Haines State Forest Resource Management Area AND PROVIDING FOR AN EFFECTIVE DATE."

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

\* Section 1. AS 41.20 is amended by adding new sections to read:

ARTICLE 16. ALASKA CHILKAT BALD EAGLE PRESERVE

Section 41.20.506. DECLARATION OF PURPOSE. (a) The purpose of AS 41.20.506 - 41.20.525 is to establish the state-owned land and water described in AS 41.20.507<sup>(K)</sup> as the Alaska Chilkat Bald Eagle Preserve as part of the state park system. The primary purpose of establishing the Alaska Chilkat Bald Eagle Preserve is to protect and perpetuate the Chilkat bald eagles and their essential habitats within the Alaska Chilkat Bald Eagle Preserve in recognition of their statewide, nationally, and internationally significant values in perpetuity.

(b) The Alaska Chilkat Bald Eagle Preserve is also established to

(1) protect and sustain the natural salmon spawning and rearing areas of the Chilkat River and Chilkoot River systems within the preserve in perpetuity;

(2) provide continued opportunities for research, study and enjoyment of bald eagles and other wildlife;

(3) ensure to the maximum extent practicable water quality and necessary water quantity under applicable laws; and

(4) provide for other public uses consistent with the primary

purpose for which the Alaska Chilkat Bald Eagle Preserve is established.

(c) It is the intent of the legislature in enacting this legislation to provide sufficient protection for the purposes for which the Alaska Chilkat Bald Eagle Preserve is established. Accordingly, the establishment of the Alaska Chilkat Bald Eagle Preserve and the Haines State Forest Resource Management Area is determined to represent a proper balance between the reservation of state public domain land and water for bald eagle preserve purposes and more

appropriate for multiple use. Therefore, the legislature determines ~~THERE IS NO~~ need for legislation expanding or contracting the boundary of the Alaska Chilkat Bald Eagle Preserve in the future, *without proper study pursuant to AS 41.20.507(2)* is unnecessary.

(d) Inasmuch as the area described in AS 41.20.507 exceeds 640 acres, AS 41.20.506 - 41.20.525 are intended to close the area to multiple use in conformity with AS 38.05.300 and the land is dedicated as a special purpose site under art. VIII, sec. 7 of the ~~STATE~~ constitution.

Sec. 41.20.507. ESTABLISHMENT AND MANAGEMENT. (a) Subject to valid existing rights, the land and water presently owned by the state and all land and water acquired in the future by the state lying within the boundaries described in (k) of this section are designated the Alaska Chilkat Bald Eagle Preserve and assigned to the Department of Natural Resources for control, development, and maintenance.

~~PENDING AND APPROVED~~  
(b) Private land, land selections made by the Haines Borough under state law on the effective date of this Act, and existing transportation and utility corridors located partially or completely within the Alaska Chilkat Bald Eagle Preserve are excluded from the Alaska Chilkat Bald Eagle Preserve. The commissioner of natural resources may not acquire private land located partially or completely within the Alaska Chilkat Bald Eagle Preserve by eminent domain for any purpose.

(c) Approved or pending Native allotments located partially or

1 completely within the Alaska Chilkat Bald Eagle Preserve are not ad-  
 2 versely affected by the establishment of the Alaska Chilkat Bald Eagle  
 3 Preserve and all approved allotments and all pending allotments located  
 4 partially or completely within the preserve <sup>\* SHALL BE TREATED AS</sup> private land under  
 5 AS 41.20.506 - 41.20.5<sup>\*</sup>5 INCLUDING BUT NOT LIMITED TO RIGHTS OF WAY  
 6 ACQUISITION.

7 (d) The Department of Fish and Game is responsible for the manage-  
 8 ment of fish and game resources in the Alaska Chilkat Bald Eagle Pre-  
 9 serve under applicable law and consistent with the purposes of AS 41.-  
 20.506 - 41.20.5<sup>\*</sup>5.

10 (e) The Department of Natural Resources shall consult with the  
 11 Department of Fish and Game, the United States Fish and Wildlife Ser-  
 12 vice, and the Alaska Chilkat Bald Eagle Preserve Advisory Council estab-  
 13 lished by AS 41.20.515 before adoption of reasonable regulations govern-  
 14 ing public use and protection of the Alaska Chilkat Bald Eagle Preserve.  
 15 The Department of Fish and Game shall consult with the Department of  
 16 Natural Resources and the Alaska Chilkat Bald Eagle Preserve Advisory  
 17 Council in proposing regulations governing fish and game management in  
 18 the Alaska Chilkat Bald Eagle Preserve for adoption by the Board of  
 19 Fisheries or the Board of Game. The Department of Fish and Game and the  
 20 Department of Natural Resources shall cooperate with the United States  
 21 Fish and Wildlife Service in its administration of <sup>\* FEDERAL</sup> laws that govern the  
 22 conservation of bald eagles.

23 (f) The state land and water described in (k) of this section are  
 24 closed to mineral entry under AS 38.05.135 - 38.05.280, to commercial  
 25 harvest of timber, to sale under state land disposal laws, and to muni-  
 26 cipal selections made after the effective date of this Act. The commi-  
 27 sioner of natural resources may lease the land described in (k) of this  
 28 section under AS 38.05.070 - 38.05.105 for a purpose consistent with  
 29 AS 41.20.506(a).

1 (g) Continued opportunities for traditional uses of the Alaska  
 2 Chilkat Bald Eagle Preserve at levels and by methods and means that are  
 3 compatible with the protection of the bald eagle population are guaran-  
 4 teed. These historically compatible uses include but are not limited to  
 5 hunting, trapping, fishing, berry picking, other subsistence and recrea-  
 6 tional uses, operation of motorized vehicles, and the harvesting of  
 7 personal-use firewood. The level and method or means of traditional use  
 8 shall be permitted to continue subject to reasonable regulation unless  
 9 the director of the division of parks, Department of Natural Resources,  
 10 after consultation with the Alaska Chilkat Bald Eagle Preserve Advisory  
 11 Council, makes a finding that the level or method and means of use is  
 12 causing significant resource damage that is inconsistent with the [primary]  
 13 purposes of AS 41.20.506 - 41.20.525. The director of the division of  
 14 parks shall hold a public hearing in Haines and Klukwan before restrict-  
 15 ing a traditional use permitted under this section.

16 (h) If privately owned land, valid mining rights, existing mineral  
 17 leases, subsurface rights on private land, or other valid occupancy is  
 18 surrounded by state land of the Alaska Chilkat Bald Eagle Preserve or if  
 19 privately owned land, federal land, or state land not described in (k)  
 20 of this section, valid mining claims, subsurface rights, or other valid  
 21 occupancy <sup>\* ON LAND</sup> not described in (k) of this section does not have reasonable,  
 22 timely, and economically feasible access and egress by means other than  
 23 crossing land designated as Alaska Chilkat Bald Eagle Preserve land in  
 24 (k) of this section, the director of the division of parks shall grant a  
 25 private landowner, a holder of a valid mining claim, <sup>\* HOLDER OF</sup> mineral lease,  
 26 <sup>HOLDER OF</sup> subsurface rights, <sup>OTHER VALID OCCUPANCY,</sup> or a state agency or federal agency rights necessary  
 27 to assure reasonable, timely, and economically feasible access and  
 28 egress. The rights of access and egress granted under this subsection  
 29 are subject to reasonable regulation and stipulations established by the

1 director of the division of parks after consulting with the Alaska  
2 Chilkat Bald Eagle Preserve Advisory Council <sup>\* IN THE FURTHERANCE OF THE PURPOSES AND</sup> to protect the values of  
3 the Alaska Chilkat Bald Eagle Preserve and to minimize adverse environ-  
4 mental impacts in the preserve. The director of the division of parks  
5 shall give favorable consideration to applications for utility rights-  
6 of-way that are compatible with AS 41.20.506(a).

7 (i) The director of the division of parks and the Alaska Chilkat  
8 Bald Eagle Advisory Council established under AS 41.20.515, in consulta-  
9 tion with the United States Fish and Wildlife Service, the Department of  
10 <sup>\* INCLUDING BUT NOT LIMITED TO THE CHILKAT INDIAN VILLAGE AND CHILKOOT</sup>  
11 fish and Game, and other pertinent sources, <sup>INDIAN ASSOCIATION</sup> may use information gained  
12 through cooperative resource studies in the development of the management  
13 plan for the Alaska Chilkat Bald Eagle Preserve and in decisions affect-  
14 ing the management and administration of the preserve. The director of  
15 the division of parks and the advisory council shall investigate the  
16 need for additional research to increase knowledge and understanding of  
17 <sup>\* AND CULTURAL</sup> the natural resources of the area and to enhance the effective management  
18 of the Alaska Chilkat Bald Eagle Preserve.

19 (j) An agency of the state may not participate or cooperate with a  
20 federal or private study considering additions to or deletions from the  
21 area of the Alaska Chilkat Bald Eagle Preserve without giving 90 days  
22 prior notice to the Alaska Chilkat Bald Eagle Preserve Advisory Council.  
23 The director of the division of parks may waive the notice required by  
24 this subsection on his determination in writing to the advisory council  
25 that an emergency necessitates immediate study or a shorter period of  
26 notice to the advisory council.

27 (k) The land and water owned by the state and all land and water  
28 acquired by the state in the future lying within the following described  
29 parcels are designated as the Alaska Chilkat Bald Eagle Preserve:

*Legal description*

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Sec. 41.20.515. ALASKA CHILKAT BALD EAGLE PRESERVE ADVISORY COUNCIL. (a) A 12-member Alaska Chilkat Bald Eagle Preserve Advisory Council is established. The members of the advisory council shall be selected under this section. Members of the advisory council are entitled to the per diem and travel expenses authorized for members of state boards under AS 39.20.180.

(b) The governor may appoint individuals to the Alaska Chilkat Bald Eagle Preserve Advisory Council representing the following interests for a two-year term:

(1) a resident of the Haines Borough representing a conservation organization; and

(2) a representative of the United States Fish and Wildlife Service.

(c) The mayor of the City of Haines, the mayor of the Haines Borough, the president of Klukwan, Inc., ~~and~~ the chairman <sup>men</sup> of the Council \* AND CHILKOOT INDIAN ASSOCIATION OR THEIR DESIGNEE of the Chilkat Indian Village <sup>are</sup> ex officio members of the Alaska Chilkat Bald Eagle Preserve Advisory Council. The mayor of the Haines Borough may recommend to the governor <sup>in appointment to the Advisory Council</sup> the name of a resident of the Haines Borough for the representation of commercial or industrial interests.

(d) The commissioner of fish and game, the director of the division of parks, and the director of the division of forestry, or their designees, serve ~~as~~ ex officio as members of the Alaska Chilkat Bald Eagle

*Preserve*  
 1 Advisory Council.

2 (e) The Alaska Chilkat Bald Eagle Preserve Advisory Council shall  
 3 assist the Department of Natural Resources in the development and moni-  
 4 toring of a management plan for the Alaska Chilkat Bald Eagle Preserve.  
 5 The management plan shall be presented at public hearings in Haines and  
 6 Klukwan before approval and implementation by the department.

\* (F) ALL HISTORICAL, CULTURAL AND BURIAL SITES IDENTIFIED  
IN THE CHILKAT BALD EAGLE PRESERVE MANAGEMENT PLAN SHALL BE PROTECTED  
BY THE DEPARTMENT OF NATURAL RESOURCES FROM VANDALISM, DESECRATION  
AND DISTRUCTION.

7 Sec. 41.20.525. MISCELLANEOUS PROVISIONS. (a) The establishment  
 8 of the Alaska Chilkat Bald Eagle Preserve under AS 41.20.506 - 41.20.525  
 9 does not enlarge, diminish, add to, or waive a requirement otherwise  
 10 applicable to the management or use of the state land of the Haines  
 11 State Forest Resource Management Area <sup>(AS 41.15.500 - 41.15.520)</sup> or private land. An activity  
 12 allowed under law on land <sup>\* ADJACENT TO</sup> the Alaska Chilkat Bald Eagle Preserve,  
 13 including but not limited to timber harvest, mining, resource develop-  
 14 ment, or recreation, is permitted ~~on private land~~ as long as the activity  
 15 is conducted in compliance with law.

16 (b) The director of the division of parks and the director of the  
 17 division of forestry shall consult in the preparation of the management  
 18 plan prepared under AS 41.20.507(i) to promote effective, efficient, and  
 19 coordinated administration of the Haines State Forest Resource Management  
 20 Area and the Alaska Chilkat Bald Eagle Preserve <sup>PURPOSES AND</sup> for the values for which  
 21 each is established.

22 \* Sec. 2. AS 41.15 is amended by adding new sections to read:

23 ARTICLE 3A. HAINES STATE FOREST RESOURCE MANAGEMENT AREA.

24 Sec. 41.15.500. HAINES STATE FOREST RESOURCE MANAGEMENT AREA. (a)  
 25 The purpose of AS 41.15.500 - 41.15.520 is to establish the land and  
 26 water presently owned by the state and all land and water acquired in  
 27 the future by the state lying within the boundaries described in AS 41.-  
 28 15.510(a) as the Haines State Forest Resource Management Area. The  
 29 primary purposes for the establishment of the Haines State Forest

1 Resource Management Area are the utilization, perpetuation, conservation  
2 and production of the land and water including but not limited to the  
3 use of renewable and nonrenewable resources through multiple-use manage-  
4 ment and the continuation of other beneficial uses including traditional  
5 uses and other recreational activities.

6 (b) The responsibility for the management, control, development,  
7 and maintenance of the Haines State Forest Resource Management Area  
8 established under AS 41.15.500 - 41.15.520 is assigned to the Department  
9 of Natural Resources.

10 Sec. 41.15.510. BOUNDARIES AND MANAGEMENT OF HAINES STATE FOREST  
11 RESOURCE MANAGEMENT AREA. (a) Subject to valid existing rights, the  
12 land and water presently owned by the state and all land and water  
13 acquired in the future by the state lying within the following described  
14 parcels are designated as the Haines State Forest Resource Management  
15 Area:

16  
17  
18  
19  
20  
21  
22  
23  
24  
*Legal Description*

25 (b) Private land, existing transportation corridors, and borough  
26 selection within the Haines State Forest Resource Management Area are  
27 excluded from the Haines State Forest Resource Management Area. The  
28 commissioner of natural resources may not acquire private land within  
29 the Haines State Forest Resource Management Area by eminent domain for

1 any purpose.

2 (c) Approved or pending Native allotment applications located  
3 partially or completely within the Haines State Forest Resource Manage-  
4 ment Area are not adversely affected by the establishment of the Haines  
5 State Forest Resource Management Area and all approved allotments and  
6 \* SHALL BE TREATED AS  
all pending allotments ~~are~~ private land under AS 41.15.500 - 41.15.520.

7 (d) The division of Forestry shall consult with the division of  
8 parks, the Department of Fish and Game, and the Alaska Chilkat Bald  
9 Eagle Preserve Advisory Council to promote effective, efficient, and  
10 coordinated administration of the Haines State Forest Resource Manage-  
11 <sup>ment</sup> Area and the Alaska Chilkat Bald Eagle Preserve for the values for which  
12 each is established.

13 (e) Resource studies undertaken by the Department of Natural  
14 Resources shall be designed to benefit the management and administration  
15 of the Haines State Forest Resource Management Area and the Alaska  
16 Chilkat Bald Eagle Preserve.

17 (f) The establishment of the Haines State Forest Resource Manage-  
18 ment Area has no effect on the terms and conditions of an existing  
19 permit or contract involving use of the land, water, or other resources  
20 of the Haines State Forest Resource Management Area.

21 Sec. 41.15.520. MULTIPLE-USE MANAGEMENT. (a) The Haines State  
22 Forest Resource Management Area shall be managed under the principles of  
23 multiple use and sustained yield as defined in AS 38.04.910, under  
24 AS 41.17, and under a management plan prepared by the Department of  
25 Natural Resources. The plan may not be adopted or revised without prior  
26 review by the Board of Forestry or without a public hearing held in  
27 Haines and Klukwan.

28 (b) The Department of Natural Resources shall periodically review  
29 and revise the management plan adopted for the Haines State Forest

1 Resource Management Area under (a) of this section.

2 (c) A copy of a management plan and any revision to it prepared by  
3 the Department of Natural Resources, reviewed by the Board of Forestry  
4 and adopted by the department after public hearings required under (a)  
5 of this section shall be provided to the legislature within 30 days of  
6 its adoption or revision or within the first 10 days of the first session  
7 of the legislature to convene after its adoption or revision.

8 (d) The Department of Fish and Game is responsible for the manage-  
9 ment of fish and game resources in the Haines State Forest Resource  
10 Management Area under applicable law and in a manner consistent with  
11 AS 41.15.500 - 41.15.520.

12 (e) The control of highway access and roadside structures within  
13 the Haines State Forest Resource Management Area is the responsibility  
14 of the Department of Natural Resources except that the Department of  
15 Transportation and Public Facilities is responsible for the repair and  
16 maintenance of public roads in the Haines State Forest Resource Manage-  
17 ment Area.

18 (f) The state land and water described in AS 41.15.510(a) are  
19 closed to sale under state land disposal laws and to municipal selections  
20 made after the effective date of this Act. The commissioner of natural  
21 resources may lease the land described in AS 41.15.510(a) under AS 38.-  
22 05.070 - 38.05.105 for a purpose consistent with AS 41.15.500(a).

23 (g) The Department of Natural Resources shall consult with the  
24 Department of Fish and Game during preparation of a management plan  
25 under (a) and (b) of this section and during formulation of regulations  
26 governing the use of the Haines State Forest Resource Management Area.  
27 The Department of Fish and Game shall consult with the Department of  
28 Natural Resources before adopting ~~of~~ regulations governing fish and  
29 wildlife management in the Haines State Forest Resource Management Area.

1 Regulations may not be adopted by either department without prior review  
2 at a public hearing.

3 (h) The Department of Natural Resources may enter into cooperative  
4 management agreements with a person who holds title to or has a valid  
5 entry on land within or adjoining the boundaries of the Haines State  
6 Forest Resource Management Area.

7 \* Sec. 3. The management plan for the Alaska Chilkat Bald Eagle Preserve  
8 prepared by the Department of Natural Resources under AS 41.20.507(i) as  
9 enacted in sec. 1 of this Act shall be <sup>adopted (legal)</sup> ~~developed~~ and implemented within two  
10 years after the effective date of this Act.

11 \* Sec. 4. The management plan for the Haines State Forest Resource Manage-  
12 ment Area prepared by the Department of Natural Resources under AS 41.15.520  
13 ~~shall~~ enacted in sec. 2 of this Act shall be adopted and implemented within two  
14 years after <sup>(its effective date)?</sup> ~~enactment~~ of this Act. The management plan shall be based on a NEW  
15 EXISTING ~~current~~ operational level inventory ~~completed within the last 10 years and~~  
16 updated as future inventory information becomes available. The Haines-Skagway  
17 Area Land Use Plan adopted by the Department of Natural Resources in 1979  
18 shall be used as the basis for preparation of the initial management plan for  
19 the Haines State Forest Resource Management Area. Before approval of the  
20 management plan prepared under AS 41.15.520, management of the Haines State  
21 Forest Resource Management Area shall be conducted under the land use alloca-  
22 tions and the appropriate management provisions of the Haines-Skagway Area  
23 Land Use Plan.

24 \* Sec. 5. AS 16.20.230(8) is repealed.

25 \* SEC. 6 THIS ACT TAKES EFFECT JULY 1, 1982

# Alaska State Legislature

SENATOR  
BRAD BRADLEY  
P.O. DRAWER 8-Q  
ANCHORAGE, ALASKA 99508  
(PERMANENT ADDRESS)  
PHONE: (907) 337-1060

POUCH V - STATE CAPITOL  
JUNEAU, ALASKA 99811  
(LEGISLATURE ADDRESS)  
(JANUARY - JUNE)  
PHONE: (907) 465-3791



Senate

ASSISTANT FLOOR LEADER  
REPUBLICAN CAUCUS LEADER

COMMITTEES

CHAIRMAN

VETERAN'S AFFAIRS

MEMBER

STATE AFFAIRS

RESOURCES

LEGISLATIVE COUNCIL

April 14, 1982

TO SENATOR FAHRENKAMP

Due to scheduling problems I cannot attend this afternoon's resource meeting. In my absence, I would like to express my support for SB 796.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Brad Bradley".

Brad Bradley  
State Senator

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CSSSSB 796  
 Title Act providing for management of state-owned land in Haines Area  
 Requested by Farenkamp Date 4-14-82

II. FISCAL DETAIL

Agency Affected Department of Natural Resources  
 Program Category Affected NRMEC  
 BRU, Program, Or Subprogram(s) Affected Parks & Rec & Land Mgmt.  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		0				
200 TRAVEL		0				
300 CONTRACTUAL		0				
400 COMMODITIES		0				
500 EQUIPMENT		0				
600 LAND & STRUCTURES		0				
700 GRANTS, CLAIMS, ETC.		0				
TOTAL		0				

FUNDING (Thousands of Dollars)

GENERAL FUND		0				
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

FULL TIME		0				
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

IV. DATE April 14, 1982 PREPARED BY Jeff Haynes  
 AGENCY Natural Resources  
 PHONE 465-2400

Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)  
 33-001 (Rev. 12/81)

Received  
4/13/82  
From: Joe Hatch

We therefore petition the Legislature to consider the following:

1. Native allotments: We request the State to remove all protests & contests filed against native allotment applications, subject to valid existing rights, made pursuant to the Act of May 17, 1906 (34 Stat. 197 as amended) which were pending before the Department of the Interior on or before December 18, 1971 and which qualify for approval under Section 905 of the Alaska National Interest Lands Conservation Act. Public Law 96-487. Dec. 2, 1980.
2. That all historical and burial sites selected through the ANSCA be protected from further vandalism and destruction by the Department of Transportation, city governments and others.
3. That all State entities be instructed that disputes over the Roads and Rights of Way that exist without approval over Native lands be resolved.
4. That the proposed Fish & Wildlife Advisory Council for the Klukwan area be recognized as the Advisory Board for Preserve Management in addition to its normal functions, rather than create a new board.
5. That our traditional and subsistence use of the entire area not be infringed upon nor neglected to a point where our lands would become inaccessible and
6. That maintenance, snow removal, construction of improvements, drainage ditches, culverts, etc.) be on a regular year-round basis as State law specifies for the public roadways in the Klukwan area.

# STATE OF ALASKA

## DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

4/13  
JAY S. HAMMOND, GOVERNOR

1:00 PM

POUCH M  
JUNEAU, ALASKA 99811  
PHONE:

April 13, 1982

Mr. Craig Tillery  
Alaska Legal Services  
615 "H" Street  
Anchorage, Alaska 99501

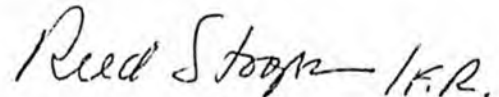
Dear Craig:

I want to clarify one point in my letter of April 8, 1982. It is the Department's intent to pursue the allotment question whether or not the Haines State Forest and Chilkat Eagle Preserve legislation is passed.

I do believe that this issue has focused attention on the Haines Klukwan area and this provides a good opportunity to galvanize all the appropriate agencies and people into action and use the Haines area as a test case to see if we can work out a better, quicker way of addressing the allotment question.

I look forward to working with you on this matter.

Sincerely,



Reed Stoops, Director  
Division of Research & Development



STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

SA 796

March 19, 1982

The Honorable R. E. Henderson  
Mayor  
Haines Borough  
Box H  
Haines, AK 99827

Dear Mayor Henderson:

Your letter of February 26 represents an agreement which is extremely gratifying to me. It is a pleasure to see the polarization and litigation in past years replaced by a cooperative, well researched solution. I commend you and your community for your role in this effort.

By copy of this letter, I, too, will inform the Legislature of my support for "an act providing for the management of State-owned land in the Haines area, establishing the Alaska Chilkat Bald Eagle Preserve and the Haines State Forest Resource Management Area." I am aware of the careful drafting of the language of the bill, and agree that it should be passed without amendment, unless such amendment is agreed to by all parties.

Should the bill pass in the present form, I will assure Senator Hart that the bill provides strong State statutory safeguards for this important fisheries and bald eagle habitat, and that my "moratorium" on development dated July 21, 1980 will be lifted.

The interdisciplinary resource studies in the Haines area will continue for another year, provided the Legislature approves funds for this purpose currently contained in my budget request. I will also discuss the need for timber re-inventory of the proposed Haines State Forest with Commissioner Katz and urge that he use resource inventory funds to complete this work.

The Honorable  
R. E. Henderson

-2-

March 19, 1982

The work in the Chilkat Valley has already influenced our attempts to resolve similar conflicts in the rest of the State. The Bristol Bay Cooperative Management Plan, for example, will use the same techniques to attempt to reach reasonable compromises.

Thank you again for your efforts.

Sincerely,

Jay S. Hammond  
Governor



# Alaska State Legislature

## SENATE Resources Committee

Official Business

BETTYE FAHRENKAMP, Chairman  
VIC FISCHER, Vice-Chairman  
BRAD BRADLEY  
DICK ELIASON  
DON GILMAN  
BOB MULCAHY  
ARLISS STURGULEWSKI

POUCH V  
STATE CAPITOL  
JUNEAU, ALASKA 99811  
(907) 465-3834  
(907) 465-3835

TO: Senator Fahrenkamp  
Chairman

DATE: 4/13/82

FROM: Resa King  
Staff

RE: SSSSB 796 - Haines  
Eagle/Forest Bill

I met again today with representatives from the various interested groups on the Haines Eagle/Forest bill.

The main purpose of today's meeting was to address Klukwan's specific amendments and check the Work Draft Committee Substitute for SSSB 796.

Klukwan came forward with six suggestions (which are attached). The following is a brief description of the recommendations of the working group:

1. NATIVE ALLOTMENTS: There is a section in the bill that provides for the lands to be considered as private land. The Department of Natural Resources outlined, in their April 8th letter to Craig Tillery, the steps they are taking in this regard .

2. HISTORICAL AND BURIAL SITES. Language was added to cover future protection of these sites.

3. RIGHTS OF WAY. Language was added.

4. PROPOSED FISH & WILDLIFE ADVISORY COUNCIL MANAGE THE PRESERVE. Since the Council does not exist it was thought inappropriate to consider their managing the Preserve. DNR also noted that they can not turn over management of public lands to a group. Language was added to have the division of parks and the Alaska Chilkat Bald Eagle Advisory Council consult with the Chilkat Indian Village and the Chilkoot Indian Association in developing the management plan, management and administration. The Chilkoot Indian Association was also added to the Preserve Advisory Council.

5. TRADITIONAL AND SUBSISTENCE USE. Page 4, lines 1-15 contains language on traditional uses. The bill also has a provision that prior to restricting a traditional use the director of the division of parks shall hold a public hearing in Haines and Klukwan.

6. YEAR-ROUND MAINTENANCE, SNOW REMOVAL, CONSTRUCTION IMPROVEMENTS FOR PUBLIC ROADWAYS IN KLUKWAN AREA. It was

thought by the group that this was outside the jurisdiction of the bill. The Department of Natural Resources, the City of Haines, and the Borough of Haines committed to writing a letter to the Department of Transportation and the Tlingit-Haida Central Council outlining the problems outlined by Mr. Hotch.

Attached is the working groups product for the Committee's review. These are identified by being typed IN CAPS most of the handwritten language is from the Legal Division. The following is the line by line changes:

Page 1, line 9: Add "and providing for an effective date."

Page 1, line 14: Should read "AS 41.20.506 - 4120.525"

Page 1, line 15: After ".507" insert "(k)"

Page 2, line 8: Delete "waters" and insert "water"

Page 2, line 8: After "and" insert "state public domain land

*Page 2* " *II*  
and water"

Page 2, line 10: After "that" insert "there is no"

Page 2, line 11: After "future" insert a ( . ) and delete  
"is unnecessary."

Page 2, line 12: after ".507" insert "(k)"

Page 2, line 15: after "the" insert "state"

Page 2, line 22: after "land," insert "pending and approved"

Page 3, line 4: after "preserve" insert "shall be treated  
as"

Page 3, line 5: after ".525" insert "including but not  
limited to rights of way acquisition."

Page 3, line 21: After "administration of" insert "federal"

Page 4, line 21: After "occupancy" insert "on land"

Page 4, line 24: Delete "(a)" and insert "(k)"

Page 4, line 25: After "claim," insert "holder of"

Page 4, line 26: Before "subsurface" insert "holder of"

Page 4, line 26: After the first "rights" insert "other  
valid occupancy,"

Page 5, line 2: After "Council" insert "in the furtherance of the purposes and"

Page 5, line 10: After "sources," insert "including but not limited to the Chilkat Indian Village and Chilkoot Indian Association"

Page 5, line 16: After "natural" insert "and cultural"

Page 6, line 21: Delete "and"

Page 6, line 21: Delete "chairman" and insert "chairmen"

Page 6, line 22: after "Village" insert "and Chilkoot Indian Association or their designee"

Page 6, line 24: After "governor" insert "for appointment to the advisory council"

Page 6, line 29: Delete the first "as"

Page 7, line 1: Before the "Advisory" insert "Preserve"

Page 7, After line 6: a new subsection to read: "(f) All historical, cultural and burial sites identified in the Chilkat Bald Eagle Preserve management plan shall be protected by the Department of Natural Resources from vandalism, desecration and destruction."

Page 7, line 12: Delete "of" insert "adjacent to"

Page 7, line 14: Delete "on private land"

Page 9, line 6: Delete "are" insert "shall be treated as"

Page 9, line 11: Before "Area" insert "ment"

Page 9, line 17 and 22: typo corrections.

Page 10, line 28: Delete "of"

Page 11, line 15: Delete "current" insert "existing"

Page 11, line 15: Delete "completed within the last 10 years"

Page 11, line 25: Add a new section 6 "this Act takes

effect July 1, 1982.



PETITION IN SUPPORT OF SSSB 796

We the undersigned citizens of the Haines Borough area having read and reviewed sponsor substitute for Senate Bill 796 do hereby support this bill and ask for immediate passage of this bill.

CHECK ONE OR MORE

SIGNATURE	ADDRESS	ALLOTMENT APPLICANT OR HOLDER	MEMBER OF IRA	MEMBER OF AIB ANS	NATIVE	CONCERNED ALASKAN
<i>Devin Y. Paddock</i>	<i>Box 134 Haines</i>				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Gale (Tagg) Thompson</i>			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Neil Thompson</i>	<i>Haines</i>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Catherine E. Thompson</i>			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Kathy Thompson</i>	<i>Haines</i>				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Betha Finnie</i>	<i>P.O. Box 370 Haines</i>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	<i>UL2-7976 (BY PHONE CONSULT)</i>					
<i>Neil E. Tagg</i>	<i>Naval Lake Tuzigwa, Wn</i>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	<i>UL27990 (BY PHONE CONSULT)</i>					
<i>Jenny (Tagg) Hughes</i>	<i>Kent Wash</i>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	<i>TRI-1483 (BY PHONE CONSULT)</i>					
<i>Louise (Tagg) Kawekkeba</i>	<i>Port Orchard, Wn</i>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	<i>1463 2061 (BY PHONE CONSULT)</i>					
<i>Devin (Tagg) Brown</i>	<i>Vashon Wash</i>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<i>John W. Thompson Jr</i>	<i>Haines</i>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Thompson</i>	<i>Haines</i>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<i>John W. Thompson Jr</i>						<input checked="" type="checkbox"/>

PETITION IN SUPPORT OF SSSB 796

We the undersigned citizens of the Haines Borough area having read and reviewed sponsor substitute for Senate Bill 796 do hereby support this bill and ask for immediate passage of this bill.

CHECK ONE OR MORE

SIGNATURE	ADDRESS	ALLIANCE APPLICANT OR HOLDER	MEMBER OF IRA	MEMBER OF AUB	NATIVE	CONCERNED ALASKAN
Elsie Mellott	Haines		yes	yes	yes	yes
Margaret Thomas	Box 131 Haines	None	yes	yes	yes	yes
<del>Frank's</del> <del>Harmon</del>	<del>Haines</del> Box 98					
Walt S. Chytrick	Haines Box 366	NO	yes	yes	yes	yes
Leo A. Land	Box 122 Haines	no	no	yes	no	yes
Charles R. Adair	Box 139 Haines		X	X	X	



PETITION IN

We the undersigned citizens of  
 reviewed sponsor substitute f  
 bill and ask for immediate pa

CHECK ONE

SIGNATURE	ADDRESS	ALLOTMENT APPLICANT OR HOLDER
<i>[Signature]</i>	Box 542 Haines	
<i>[Signature]</i>	Box 542 HAINES	
<i>[Signature]</i>	Box 178 Haines	
<i>[Signature]</i>	Box 294 HAINES	
<i>[Signature]</i>		
<i>[Signature]</i>	Box 577	X
<i>[Signature]</i>	Box 294	

SUPPORT OF SSSB 796

the Haines Borough area having read and  
 Senate Bill 796 do hereby support this  
 age of this bill.

OR MORE

MEMBER OF IRA	MEMBER OF ANB	NATIVE	CONCERNED ALASKAN
			L
			A
			✓
			✓
			✓
	X	X	
			✓

PETITION IN SUPPORT OF SSSB 796

We the undersigned citizens of the Haines Borough area having read and reviewed sponsor substitute for Senate Bill 796 do hereby support this bill and ask for immediate passage of this bill.

CHECK ONE OR MORE

SIGNATURE	ADDRESS	ALLOTMENT APPLICANT OR HOLDER	MEMBER OF IRA	MEMBER OF ANB	NATIVE	CONCERNED ALASKAN
<i>[Signature]</i>	<i>[Address]</i>	NO	NO	NO	NO	
<i>[Signature]</i>	<i>[Address]</i>	NO	YES	NO	YES	
Harmon D. Parice	Bx 201	NO	NO	NO	YES	YES
Mary Ann Parice	Box 201	NO	NO	NO	NO	Yes
Charles Clayton	" 116	"	no	no	yes	yes
Lionel Brown	Box 1125	NO	NO	NO	YES	YES
Bob A. [Signature]	373	NO	YES	YES	YES	YES
Mik Lind	Box 1	NO	NO	NO	NO	YES
Michael [Signature]	Box 36	NO	NO	NO	NO	"
R Boyl	Box 94	NO	NO	NO	NO	YES

PETITION IN SUPPORT OF SSSB 796

We the undersigned citizens of the Haines Borough area having read and reviewed sponsor substitute for Senate Bill 796 do hereby support this bill and ask for immediate passage of this bill.

CHECK ONE OR MORE

SIGNATURE	ADDRESS	ALLOTMENT APPLICANT OR HOLDER	MEMBER OF IRA	MEMBER OF ANB	NATIVE	CONCERNED ALASKAN
Walter Paddock	P.O. Box 134 Haines, Alaska 99822		X	Y	Y	X
John Clayton	Box 116 HAINES AK 99827					
Paul Douglas Pette	P.O. Box 487 Haines Alaska 99827					X
Mary Paddock	P.O. Box 134 Haines, Alaska 99827	X		X	X	X
Craig S. Lomin	P.O. Box 332 Haines, Alaska 99827					X
Therese Clayton					X	
Bob Wood	Haines, Alaska					X
John Hill	Haines					X
Paul Martin	HAINES AK					X

PETITION IN SUPPORT OF SSB 796

We the undersigned citizens of the Haines Borough area having read and reviewed sponsor substitute for Senate Bill 796 do hereby support this bill and ask for immediate passage of this bill.

CHECK ONE OR MORE

SIGNATURE	ADDRESS	ALLOTMENT APPLICANT OR HOLDER	MEMBER OF IRA	MEMBER OF ANB	NATIVE	CONCERNED ALASKAN
<i>Ross F. Potter</i>	<i>Haines P.O. Box 86</i>					<input checked="" type="checkbox"/>
<i>George Pelt</i>	<i>P.O. Box 51 H.</i>					<input checked="" type="checkbox"/>
<i>Lenny Wells</i>	<i>P.O. Box 274 Haines</i>					
<i>Mark Williams</i>	<i>P.O. Box 463 Haines</i>					
<i>Colleen Williams</i>	<i>P.O. Box 463 Haines</i>					
<i>Nelle J. Reid</i>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Jack Winters</i>	<i>Box R Haines</i>					<input checked="" type="checkbox"/>
<i>Ron Hill</i>	<i>Box 178 Haines</i>					<input checked="" type="checkbox"/>
<i>Bill ...</i>	<i>Box 542 Haines</i>					<input checked="" type="checkbox"/>
<i>Doug ...</i>	<i>Box 477 Haines</i>				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<i>...</i>	<i>...</i>				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>



# STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

4/13/82  
1:00  
JAY S. HAMMOND, GOVERNOR

POUCH M  
JUNEAU, ALASKA 99811  
PHONE:

April 8, 1982

Mr. Craig Tillery  
Alaska Legal Services  
615 "H" Street  
Anchorage, Alaska 99501

Dear Craig:

The Department of Natural Resources has reviewed the location of all known native allotment applications currently on file for lands in the Haines area. Attached is a listing of all allotment applications which were reviewed.

Most of the allotments are located on State patented and tentatively approved lands, and subject to the Aguilar decision (August 8, 1979). In that decision, the court found that allotment applications should not be rejected solely because they were not filed prior to the State receipt of patent or tentative approval. If the applicant can show that use and occupancy commenced prior to the State receipt of patent or tentative approval and continued for sufficient duration to qualify under the Native Allotment Act, the application will be approved and court action initiated by the Federal government to rescind its conveyance to the State of Alaska.

Unfortunately, the Bureau of Land Management is not funded to perform its adjudication responsibilities for Native Allotments to the detriment of both the State and the allotment applicants. Further, should adjudication show the application is valid, a protracted court proceeding may be necessary to rescind the federal conveyance to the State.

As we discussed it would be mutually advantageous to the State and allotment applicants, if the State had the option to quit claim its interest on patented or tentatively approved land subject to valid allotment applications and BLM was required to convey such interest to the allotment applicant. While this option would only be used at the State's discretion, it would save considerable time and expense to all parties where it was exercised. Further, I would be generally consistent with the rationale used by

Mr. Craig Tillery  
April 8, 1982  
Page 2

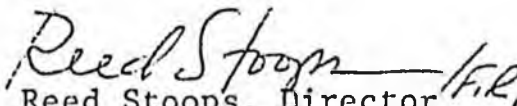
Congress in Section 905 of ANILCA, where legislative approval was used to by pass the adjudication process in certain cases.

In addition, we have reviewed the proposed two stage adjudication process suggested by Regional Solicitor Jack Allen, and find it reasonable. The State will join with you in urging Congress that sufficient funds be made available to BLM to expedite adjudication on this or a similar process.

Finally, with regard to specific allotment applications in the Haines/Skagway area, we divided them into three categories: (1) those which the State would be willing to quit claim its interest if a mechanism is made available for this purpose by Congress or by administrative action of BLM), (2) those which the State would quit claim its interest provided that rights-of-ways were granted the State by allotment recipients, and (3) those that the State would insist on a full BLM adjudication process.

Provided that State legislation is adopted this year establishing the Haines State Forest and the Chilkat Bald Eagle Preserve, the State is willing to place allotment applications in categories (1) through (3) for the purpose of resolving land status and reducing expensive and time consuming court actions. The attached list represents the Department's tentative position on each allotment. The Department will take a final position on each allotment in a week or two after final review by all interested parties.

Sincerely,

  
Reed Stoops, Director  
Division of Research & Development

Attachment

Haines-Skagway Native Allotments

- 1) No State Interest
- 2) Access Easement Needed
- 3) Adjudication Required

1)	AA 6542 TA to State	Eva L. Pardee	3
2)	AA 7929 Patent to State	Esther Hotch	1
3)	AA 7610	Mildred Sparks	Approved
4)	AA 7944 Patent to State	Donald Hotch	3
5)	AA 7927 Patent to State	Ethel Aguilar	3
6)	AA 7928 Patent to State	Elmer Hotch	3
7)	AA 7946 Patent to State	Smith Katzeek, Sr.	3
8)	A 04612 Patent to State	Jim King	2
9)	AA 1474	Peter Duncan	Cert. Issued
10)			
11)	AA 6618 Patent to State	Fred Donnely	2
12)	AA 8036 Patent to State	Henry Jacquot	2
13)	AA 8035 Patent to State	Larry Jacquot	2
14)	AA 7884 Patent to State	John Barry	3
15)	AA 8022 Patent to State	Fred Chambers	3
16)	AA 0065	Archie Chancy	Cert. Issued
17)	A 003821 Patent to State	Archie Abbott	2
18)	A 004181	William S. Johnson	Cert. Issued

19)	A 060279 No State Land	James M. Ward	Legislative Approved
20)	A 061041	Johnny Willard	Cert. Issued
21)			Cert. Issued
22)	A 010296	Mary Whitaker	Cert. Issued
23)	A 034749	Edward Kasko	Cert. Issued
24)	A 034721	Tom Katzeek	Cert. Issued
25)	J 011180 A 060915	George Stevens	Cert. Issued
26)	AA 6306	Joseph King	2
27)	A 010350	Willie Lee	Cert. Issued
28)			
29)			Cert. Issued
30)	A 003745 Patented Homestead	Billie Johnson	2
31)	AA 6135 Patent to State	Annie Hotch	1
32)	A 060922 State Selection	Clarence Hotch	Closed Stat. Life
33)	A 060904	David Hotch	Cert. Issued
34)	A 050258 Partial Patent to State	Harold Hotch	2
35)	A 062053 Patent to State	Helen Hotch	2
36)	AA 7020 Patent to State	William Hotch	3
37)	AA 6602 Patent to State	John Katzeek	3
38)	AA 3141 State Selection	Charlotte Davis	2
39)			2
→ End Eagle Bill Allotments			
40)	AA 45063	Katherine Ingstern	3
41)	AA 45064	Mary Paddock	3

42)	AA 45065	Mary Philpot	2*
43)	AA 6578	Mary Aspenwall	3*(overlap)
44)	AA 45060	Murry Claton	3*(overlap)
45)	AA 45064	Pat Philpot	3*
46)	AA 45066	Nellie Petti	3*
47)	AA 7033	Thomas Abbot	3*(overlap)
48)	AA 45069	Dorothy Meyers	3*
49)	AA 7607	Dolly Phillips	3*
50)	AA 7609	Milton Phillips	3
51)	AA 7608	Fred Phillips	3
52)	AA 6601	Paul Phillips	2
53)	J 01110A	Alice L. Tagg	2
54)			
55)	AA 7605	Paul Phillips	3
56)	A 061299	George Williams	3
57)	AA 6600	Dave Berry	2
58)	AA 6589	Frank Berry	2
	AA 7611	Helen Louise Smith	3*(overlap)

*George Katzeck  
 (next to J Sun Katzeck)*

\*on University Land

# CHILKAT INDIAN VILLAGE

AN INDIAN REORGANIZATION ACT VILLAGE  
UNDER ACT OF CONGRESS JUNE 18, 1935

BOX 220  
HAINES, ALASKA 99827  
766-2805

Mr. Chairman, Members of this Committee, Ladies and Gentlemen, my name is Joe Hotch, Vice President of Chilkat Indian Village. The Chilkat Indian Village is a duly constituted Indian Tribe organized pursuant to the authority of the Acts of Congress of June 18, 1934 (48 Stat 984) and May 1, 1936 (49 Stat. 1250) within it's constitution and by-laws ratified March 27, 1941.

We have a seven member Council and the Chilkat Indian Village, as a Council and as a whole, has been active since being organized. The Council has never been de-activated for any reason and is the present governing body, including 205 registered voters, of the village of Klukwan. Under Article (4) Powers of the village, section 1 (k) We are empowered to negotiate with the Federal and Territorial governments on behalf of the village and to advise and consult with representatives of the interior Department on activities of the Department that may affect the village.

We have several points of high concern which we wish to point out to you. The Natives of the Chilkat Valley are concerned over the loss of their lands and aboriginal claims for the past one hundred years.

## A Short History

In 1884, Congress provided that "The Indians or other persons in said district shall not be disturbed in the possession of any lands actually in their use or occupied or now claimed by them. The terms under which such persons may acquire title to such lands is reserved for future legislation by Congress

In 1891, Congress provided that no patents should be issued for any

trade or manufacturing site at which the Natives of Alaska have prior rights by virtue of actual occupation.

On May 17, 1906, (34 Stat. 197 U.S.C. 357 as amended) - The Alaska Native Allotment Act allowing for a trust patent up to 160 acres of land use and occupied by Natives was signed into law. Under this Act some 50 allotments were subsequently filed in the area. and are still not patented.

In November 1943 - some members of the Tribe petitioned the Secretary of the Interior for some 12,800 acres as a reservation.

In October 1946 - The Bureau of Indian Affairs hearing officer told the people of Klukwan in a hearing on the request for a reservation that they would not own the land and that any revenues derived from the land, would go to the government in Juneau not to the Tribe. The people were quite distressed at this information and in addition claimed the entire 2.6 million acres which they used and occupied. (This by the way was attested to by numerous historical documents and is factually undisputed). Under this cloud of misinformation the people withdrew their request for a reservation thinking that the Bureau of Indian Affairs would present a request for a 2.6 million acre land claims (minus land taken by the Army for their purposes) and that they at least controlled the 12,800 acres. This of course never happened.

By the way, we have found that the 12,800 acres related to the Canadian border that was at Wells Bridge. It was moved to it's present location through the powers and efforts of a Klukwan Chief, Yelt-Kagh. A Canadian Army was posted at Wells and our people were checked even to go a little ways past the border. Our Chief took his warriors and told the superior officer through Tlingit Indian soldiers in the Canadian Army, Paddy Duncan and one by the last name of Kodawat, that if they

did not move from Wells, we would declare war upon them. The commanding Canadian officer asked where our boundaries were. Our Chief said "Within the mountain tops". The Canadians have honored this claim and the present border reflects the change made.

Additionally, that 1946 hearing was transcribed (a copy is attached) and it should be noted that 42 people petitioned (15 by an X mark) 22 testified (13 through an interpreter) and 4 were not permanent. In 1967 - The Tlingit and Haida Court of Claims decision found that the Tlingit and Haida Indians had valid claims of aboriginal title to lands in Southeast Alaska and that the Chilkat Indians had valid claims to 2.6 million acres of land since no further proof work was done, this claim was cancelled by the Alaska Native Claims Settlement Act. In 1971 ANCSA passed without including Klukwan.

In 1976, the Act was amended to allow Klukwan to form a village corporation. Klukwan Incorporated, has selected lands on Long Island. Near Prince of Wales Island.

In SUMMARY, during the 50's, 60's, 70's and it appears the 80's the various governments have taken right of ways without regard to ownership or historical and cultural importance, have refused to recognize our form of government, have delayed approval of our pending land claims, have refused to provide common maintenance service for our people on roads within the community and have excluded in fact, if not in intent, the people of Klukwan from decisions affecting land and its creatures including Eagles, with which the people have lived, long before the Audubon Society and Department of Natural Resources discovered Alaska.

We feel this whole matter has been rushed to accommodate others and forces us to make hasty decisions on matters of more importance to us as a people, whose very clan is related as a family to the Eagle, than virtually any other party at interest.

We do not wish to stand in the way of the Economic development of the area. We also use cold hard cash these days and point out that we did not impose or request the development moratorium, it was the Governor. Now the economics of the area and the people are being held hostage by their own Governor and Department of Natural Resource's avid interpretation of the freeze. Neither are we anti-Eagle, it is our clan! However, no bulldozers are posed to knock down Eagle nests (unless Department of Transportation has some already), so the hasty nature of this legislative procedure must be an attempt to have the State march to the beat of outside drummers without regard to both fact or the feelings of all concerned.

We are here with expectation that the State will give us a better and more understanding way of resolving our concerns - starting with postponement of passage of this legislation.

On behalf of the Chilkat Indian Village and it's membership, I wish to Thank all of you for this opportunity to express our deep concerns that have surfaced over this proposed legislation.

I will answer any questions that are relative to our concerns.



## CENTRAL COUNCIL

Tlingit and Haida Indian Tribes of Alaska  
One Sealaska Plaza - Suite 200  
Juneau, Alaska 99801

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April 7, 1982

The Honorable Bettye Fahrenkamp  
Chairwoman, Senate Resources Committee  
Alaska State Senate  
State Capitol  
Pouch V  
Juneau, Alaska 99811

Dear Senator Fahrenkamp:

We are writing to express our opposition to the passage this year of Senate Bill 796, An Act providing for the management of State-owned land in the Haines area. . . .

The Central Council, which represents some 16,000 Tlingit and Haida Indians in Alaska, is concerned about the manner in which this legislation was formulated, without attention to problems of the people of Klukwan. The lands under their stewardship during the rise and fall of many governments have not suffered as a result of their management, and are not in danger now except from nonresident forces.

It is disheartening to see the paperwork which trails the taking of these peoples' lands by others. No matter what the seal, signature or title, it has only resulted in losses to these people. There has been no consideration given to assisting in solving these peoples' problems.

We are also concerned about the economic future of the area. It is clear that the Governor's imposed freeze can be removed in whole or in part by him, and we urge such action so that the people represented by the Governor are not intentionally or inadvertently made pawns in a national image game.

Your kind attention to this matter is appreciated.

Sincerely,

John Rope  
President

BEFORE THE GOVERNOR OF ALASKA, THE STATE AND HOUSE RESOURCE COMMITTEES, THE LEGISLATIVE BODY, SENATOR BILL RAY, REPRESENTATIVE JIM DUNCAN AND TO WHOM IT MAY CONCERN.....

In the Matter of Opposition to State Land Selections in the Haines Borough for the Purpose of Creating a Bald Eagle Preserve and a Forestry Resource Management Area under SB 796 and House Bill 881 or any other State Land Selection Legislation at this time.

A PETITION

Whereas: the Klukwan IRA Chilkat Indian Village Council and/or members oppose any State of Alaska selection or designation of lands within the Haines Borough until letter, dated April 26, 1977, to Mr. John Kelly, Field Solicitor, United States Department of Interior, relating to Trespass on 2.6 million acres of traditional lands is resolved, and

Whereas: the Klukwan IRA Chilkat Indian Village Council has gone on record as in opposition, and

Whereas: the IRA of the Chilkat Indian Village would like to establish that they are a separate entity from Klukwan, Inc., that Klukwan Inc. does not represent IRA, and that IRA may make decisions separate from Klukwan Inc. and that IRA decisions involve the Chilkat Indian Village located at Klukwan and should be respected as such, NOW

We, the undersigned, being all of clear mind and residents of the Village of Klukwan, DO HEREBY PETITION the Governor of the State of Alaska, the State and House Resource Committees of the State of Alaska's Legislative Body, the entire Legislative Body of the State of Alaska, Senator Bill Ray, Sponsor of SB796, Representative Jim Duncan, Sponsor of HB 881 and to whom it may concern to stop all action on SB796, HB881 and any other legislative vehicles that involve State land selection in the Haines Borough until all native lands to include pending native allotments are resolved.

NAME Jerry D. Baker ADDRESS Klukwan AK  
Chilkat Indian Village  
Clarence M. Hatcher  
KLUKWAN, ALASKA

KLUKWAN IRA CHILKAT INDIAN VILLAGE COUNCIL  
Klukwan, Alaska  
3/8/82

Attached is a petition addressed to:

THE GOVERNOR OF ALASKA, THE STATE AND HOUSE RESOURCE COMMITTEES, THE LEGISLATIVE BODY, SENATOR BILL RAY, REPRESENTATIVE JIM DUNCAN AND TO WHOM IT MAY CONCERN

All correspondence and/or telephone communications, from addressees regarding this petition, should be directed to:

Mr. James Stevens, President  
IRA Council  
Box 220  
Haines, Alaska 99827  
Phones: Home 7662404 Business 766 2805

AND ALSO

Mr. Joe Hotch, Vice President  
IRA Council  
Box 525  
Haines, Alaska 99827  
Phone: 766 2556

The Community of Klukwan was not considered as part of the Consensus sign-off, in a letter dated February 26, 1982 to Governor Jay Hammond from the Mayors of the City and Borough of Haines. Therefore; the residents of Klukwan are taking this opportunity to express their overwhelming opposition to any legislative vehicles or legislation that involves land selection or land designation in this area.

NAME

ADDRESS

Stuart Joyce Jacobs

Klukwan Alaska

Eugene King

Klukwan

Smith Kayalo sr.

Klukwan

Charles E. King, Sr.

Klukwan, AK.

Mattie G. Wood

Klukwan

Jessie Wood

Klukwan

Esther Hatch

Klukwan AK.

Helen King - Klukwan

Charles E. King Jr. Klukwan

Charlene Katyeek

Klukwan, AK.

Evelyn Hatch

Klukwan

Martine Sweet

Klukwan

Beverly Hatch

Klukwan

Helen Rose

Klukwan

Ruth Kaska

Klukwan

Jim King

Klukwan

Jim Hatch

Klukwan

Eileen Kaska

Klukwan

Jerry Sweet

Klukwan

Lillian Rose Hatch

Klukwan

NAME

ADDRESS

Joe Hatch

Box 525

Amin Hatch J.D.

Box 525

Katherine Hatch

Box 525

Laura Hatch

K. ...

(Margaret Stevens

(Mark Stevens

See Original

(George P. Stevens Sr

Joseph E Amus

" "

Bill Hatch

Franky Hamer

446

Gene Miller

" "

Richard King

Richard King 367

Mary E King

King, Box 367

Jay & Dawn Palmer

Box 300 Aniak Klukwan

Deborah L Hatch

Box 377 Hamnaak

Jan Kajeck

Box 104 Klukwan

Janice Kajeck

Box 101 Klukwan, AK

Debbie Kajeck

Box 534 Klukwan, AK

Richard King

Joe Hatch

K. ...

Clarence Hatten  
 Elmer Hatch  
 Archie Stanley  
 Catho Kleney  
 Lorena Willard  
 Jerry Strong  
 Agnes Strong  
 Henry Strong  
 Lynn Strong  
 Theresa Ward  
 Roberta Dennily  
 Toni Willard

(ALL KLUKWAN)

Silkpevan	11-11-11
Box 377	Haines Alaska
Box 356	Haines AK.
Box 356	Haines AK
Box 657	Haines, Alaska
Box 435	Haines AK
Box 435	Haines, Alaska
Box 435	
Box 435	Haines, AK
Box 368	Klukwan, AK
Box 338	Klukwan AK
Box 194	Klukwan



# Klukwan, Inc.

P.O. Box 594  
Haines, Alaska 99827



March 30, 1982

Jon D. Halliwill, Mayor  
City of Haines  
Haines, AK 99827

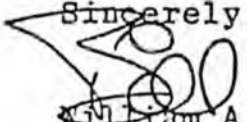
Dear ~~Mayor~~ <sup>JOH</sup> Halliwill:

In reference to Senate Bill No. 796, Section 1, Subsection C, pertaining to approved and pending Native Allotments, this language follows my proposed guidelines established during the early development of the Bill, helping to protect Native Allotment owners and pending Allotment applicants.

I would like to thank you for your past support of this issue and request your continued support of this provision in the Bill. I request your support in the pending Native Allotment issue, whereas people are making an effort to resolve the problems that created the State protest. I feel your political support would be helpful in resolving the issues.

While I have no personal gain in the issue, I feel this would have only a positive impact on the community, helping to preserve the native traditional use of the land and the native culture.

Sincerely,



William A. Thomas, Jr.  
Chief Executive Officer

cc: Robert Henderson, Borough Mayor  
Mike Miller  
Jim Duncan  
✓ Bill Ray  
Chilkat Indian Village  
T&B Central Council - Realty Affairs  
Reed Stoops, Department of Natural Resources  
Native Allotment Owners & Pending



# Alaska State Legislature

## SENATE Resources Committee

POUCH V  
STATE CAPITOL  
JUNEAU, ALASKA 99811  
(907) 465-3834  
(907) 465-3835

Official Business

BETTYE FAHRENFAMP, Chairman  
VIC FISCHER, Vice-Chairman  
BRAD BRADLEY  
DICK ELIASON  
DON GILMAN  
BOB MULCAHY  
ARLISS STURGULEWSKI

TO: Bettye Fahrenkamp  
Chairman

DATE: 4/2/82

FROM: Resa King *R.K.*  
Staff

RE: Legal Sectional  
Analysis SSSB 796

-----  
Attached is a copy of the sectional analysis of SSSB 796 which is the Eagle Preserve/Haines Forest bill and is scheduled for hearing Wednesday, April 7, 1982.

### SUMMARY

It is suggested that the bill be replaced with a committee substitute due to problems with: technique, typos, Alaska and U. S. Constitution, michievous language, no land descriptions, clarity, etc. Also, the drafter of the analysis could not understand the intent of certain sections of the bill and therefore was unable to provide corrective language.

Due to time constraints I do not believe that it is possible to cure all of the drafting errors, obtain an explanation of intent, and renegotiate the consensus agreement prior to the hearing. I note the consensus agreement because it contains the following language:

"Since the consensus agreement involved very careful wording . . . to achieve a delicately structured compromise, . . . urge . . . be passed . . . without amendment. Should the bill be amended by the Legislature so as to change its nature, all parties to this agrcement reserve the right to pursue alternative courses of action, including but not limited to, opposing passage of the amended legislation. Should passage of unacceptable amended legislation occur, despite our best efforts, then we would request exercise of your veto authority."

I would suggest that after the hearing that you and/or I meet with the various interested parties in an attempt to solve the legal questions while maintaining the local delicate balance. I must note that April 7th will be the 87th day of the Legislature.

Attachments

STATE OF ALASKA  
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

4/2/82  
4:00pm  
POUCH Y - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907-455-3800

MEMORANDUM

April 2, 1982

SUBJECT: Eagle Preserve/Haines Forrest -- SSSB 796  
(Work Order No. 12-2781)

TO: Senator Bettye Fahrenkamp  
Chairman, Senate Resources Committee

FROM: Richard A. Bradley *B*  
Legislative Counsel

You have asked for a sectional analysis of SSSB 796.

Initially, I must note that the bill was not drafted or revised in this office. The bill was typed without change from a draft provided to us by Senator Ray at his specific request.

Some problems of a technical, typographical, and stylistic nature exist. I see no particular gain to an identification of them at this time beyond the suggestion that a committee substitute should be made to correct the errors.

Of a more substantive nature, note that the bill uses variations on the phrase "appropriate law" or sometimes "applicable law". The Legislative Drafting Manual discourages the use of this phrase; if the legislature has in mind specific law that is to apply, it should be specifically referenced by AS section. If, on the other hand, nothing more is meant than that the public officer is governed by law generally, then the phrase adds nothing substantive and confuses administrators of the law and members of the public who have to comply with the law. To that extent that specific law is apparently referenced, I would add the reference. Beyond that, I would propose to delete the phrases in any committee substitute.

I will identify more substantive improvements to the bill as the particular section is analyzed.

Sec. 41.20.550. The section contains a declaration of purpose; the purpose is to establish the Eagle Preserve as a unit of the state park system. Other purposes are stated.

The material at lines 26 - 29 on page 1 of the bill is not in the usual format for language establishing compliance with AS 38.05.300.

Sec.550(a) designates as the Eagle Preserve land described on a map in the office of the commissioner of natural resources. A line on a map is not as precise a description as that found in the usual legal description. Beyond that consideration, such a description is also not reasonably accessible to members of the public. I recommend that the legislature not describe a state park in that fashion and I understand that the Department of Law agrees with this recommendation.

In that same subsection, I would prefer not to use the term "acquired land" as it is used on page 2, line 1 (and elsewhere) in the bill. The term has a technical meaning under public land law that is inconsistent with its meaning here. Rather than confuse, I would use other language.

I believe the "and" on line 5 should read "are".

Sec. 550(b) provides that "Private land, existing selections of the Haines Borough under State law, and existing transportation and utility corridors lying within the parcels described in (a) of this section" are excluded from the Preserve. It also provides that the state may not acquire private land within the preserve by eminent domain.

The section has some problems. Initially I note that no parcels are "described" in (a) of the section. Also, the section is unnecessary to exclude private land from the Preserve; the language of the bill applies only to state land. If the intent of this language is to reassure members of the Haines community of the implications of the bill, then it would be more appropriate to put the logic of this section as a statement of legislative intent.

And finally, the language of the prohibition against acquisition of private land within the Preserve by eminent domain is broader than necessary and therefore mischievous.

Senator Bettye Fahrenkamp

Page 3

April 2, 1982

I assume, for example, that the Department of Transportation and Public Facilities may not acquire private land within the Preserve for the improvement of highways or for any other public purpose under the existing language.

Sec. 550(c) seeks to protect Native allotments; it is also ambiguous. It uses the phrase "Approved and pending Native allotment applications" in the first phrase of the section and "all approved applications" in the latter phrase. I assume that "pending applications" are also to be treated as private land (if the applications are valid, the land is private) notwithstanding the nonparallel usage.

This section may also be intended to reassure members of the Native community concerned but it adds nothing to the law. If the language has that intent, I suggest that this section also be moved to a section of legislative intent and deleted from codified law.

In sec. 550(d), the Department of Fish and Game is given responsibility for management of fish and game resources. The phrase "under applicable law" should be deleted.

Sec. 550(e) provides for much consultation between state and federal agencies in the management of the Preserve. The phrase "adoption of reasonable regulations" in the section is not consistent with legislative style, primarily because it is meaningless. To the extent that it may suggest that regulations viewed as "unreasonable" are not effective, it misleads the public. If it suggests that unreasonable regulations do not have the force of law, it is inaccurate. Finally, who determines what is a "reasonable regulation"?

The phrase "Bald Eagle Protection Act of 1940 and other appropriate law" needs clarification. A statutory reference to the federal act should be added and the ambiguous "other appropriate law" should be clarified or deleted.

Sec. 550(f) provides that the natural habitat of the Preserve [I believe it would be clearer to say "the Preserve"] shall be managed to sustain eagle and salmon populations and other wildlife and water quality. The phrase "in accordance with applicable law" is used twice and should be deleted.

Senator Bettye Fahrenkamp

Page 4

April 2, 1982

Sec. 550(g) provides that the land and water described in (a) of the section are closed to mineral entry and location, to commercial harvest of timber, conveyance of fee title (but not lease?) under state disposal laws, and to future municipal selections. Since I assume that disposal of lease interests in state land within the reserve is not intended to be permitted, the section should be clarified.

Sec. 550(h) provides for "traditional uses" to continue within the Preserve. Examples of the permitted uses are offered though the list is not complete. The uses are alternatively described as "historically compatible uses," apparently to mean the same thing. The phrase "reasonable regulation" appears again.

Sec. 550(i) provides for access from private land and from nonprivate land on which valid existing rights exist. The first sentence is too long and unclear. Several awkward phrases within the section could be improved on without loss. The concept of "timely . . . access" is unclear. The phrase "economically feasible access for economic and other purposes" could be improved on. The phrase "reasonable regulation" appears.

It seems difficult to see how utility rights of way can ever be "compatible with the primary purpose" of the Preserve; it may be that such necessary rights of way should be granted under conditions that are consistent with minimal environmental impacts whether or not they are consistent with the primary purposes of the Preserve.

Sec. 550(j) requires the director of parks and the Advisory Council established later in the bill to develop the management plan. Much nonpermanent law appears and should be moved to uncodified sections -- or perhaps recast as permanent law.

The last sentence of the section is ineffective but is nonetheless unconstitutional. It provides that neither the federal government nor the state government nor private individuals may even study the question of adding to or deleting land from the Preserve without 90 days notice to the advisory council or an emergency certification from the director of parks. There seems no particular reason why the federal government should study the question of an addition

to or deletion from a state preserve but I believe the Supremacy Clause of the U.S. Constitution gives it that authority without seeking permission from the state. I assume that the First Amendment grants any individual citizen or group the authority to study the question [that is, to think about it] without seeking permission from the state. And if other statutory authority exists for a state study, the provision is ineffective even as to the state.

On a more positive note, I suspect that what is sought here is a political statement that the enactment of this legislation should be considered a resolution of the questions addressed in the bill. As a political statement (usually found in a statement of legislative intent), the goals can be reasonably achieved.

Sec. 41.20.560 establishes an advisory council for the Preserve.

Sec. 560(a) provides that the council has 11 members, appointed by the governor. They are entitled to the usual per diem and travel expenses.

Sec. 560(b) requires the governor to appoint individuals representing identified "interests". The governor may believe that he has the unfettered constitutional discretion to make executive appointments; to that extent, an attempt to limit the discretion of the governor in (b)(2), (5), and (7) may tread on the governor's power; in these cases, the effective appointment is made by the local official named in the subparagraph. The provisions at (b)(3), (4), and (6) are simply awkward; the governor is instructed to appoint "individuals . . . representing the following interests:

- (3) the Mayor of the City of Haines;
- (4) the Mayor of the Borough of Haines;
- (6) the President of the IRA Council of the Chilkat Indian Village;"

I assume that the goal of the bill on this latter point may be achieved if these individuals are made members of the advisory council ex officio.

April 2, 1982

And it might be more effective to provide that the commissioner of fish and game, the director of the division of forestry, and the director of the division of parks, or their designees serve ex officio rather than to use the existing formulations of paragraphs (b)(8), (10), and (11).

No "public members" are appointed.

Sec. 560(c) provides that members of the commission have two year terms. This provision seems inconsistent with the suggestion that the officials identified in (b)(3), (4), and (6) serve ex officio.

Sec. 560(d) directs the council to assist DNR in the development and monitoring of the management plan.

Sec. 41.15.570 (sic) establishes "miscellaneous provisions". The section requires renumbering as part of AS 41.20 and the subsections might better be reallocated.

Sec. 570(a) provides that "Notwithstanding any other provision of this Act or law," the establishment of the Preserve shall not be "deemed to enlarge, diminish, add to, or waive any substantive or procedural requirements otherwise applicable to the management or use of the adjacent lands of the Haines State Forest Resource Management Area, or other State or private lands".

I do not know what is meant by "substantive or procedural requirements". It may mean "law".

I assume that the usage of the word "adjacent" is meant in context to suggest that the Haines State Forest Resource Management Area is proximately located to the Preserve; it may mean, however, that adjacent lands of the Area are to be dealt with differently than more remote land of the Area. The usage later in the same section seems to reinforce this suggestion that "adjacent lands" are dealt with differently from remote lands. That result seems awkward and the section needs clarification.

The phrase "applicable law" appears.

If the legislature wishes coordination between the divisions of parks and forestry, it should direct the coordination not "encourage" it.

Sec. 570(b) is a state variation of the Federal (d)(2) "no more" legislation; it is clearly a statement of intent but not a substantive provision of law.

Sec. 570(c) is a repealer and does not belong in permanent law. It repeals the Chilkat River Fish and Game Critical Habitat Area established under AS 16.20.230(8).

Section 2 of the bill establishes the Haines State Forest Resource Management Area, usually referred to in this analysis as the Area.

Sec. 41.15.500 establishes the Haines State Forest Resource Management Area.

Sec. 500(a) provides for the purposes of the Area; the usual phrases are used: the "utilization, perpetuation, conservation, and production of the land and water" of both "renewable and nonrenewable resources" through "multiple use management" and the continuation of other "beneficial uses including traditional uses and other recreational activities".

Sec. 500(b) assigns the management to DNR.

Sec. 41.15.510 is described as the boundaries of the Area.

Sec. 510(a) provides that state-owned or acquired land and water located above mean high tide within the boundaries on a map in the office of the commissioner of natural resources are designated as the Area. For reasons indicated earlier, I would prefer not to use the term "acquired land". For reasons indicated earlier, I consider it poor legislation to withdraw and manage land described no more precisely than on a map in the commissioner's office.

The material at the end of the subsection assigning the management responsibility to DNR duplicates the provisions of Sec. 500(b).

Sec. 510(b) [protection to private land, existing transportation corridors, and borough selection] and 510(c) [Native allotment applications] are the parallels to similar provisions in the sections establishing the Preserve. The same reasons exist here for transferring them to a statement of legislative intent. The same overbroad prohibition

against the use of the eminent domain power by the state appears here.

Sec. 510(b) refers to "borough selection" ambiguously and ungrammatically. It is not clear whether existing borough selections within the Area are protected or excluded in the future. It should be clarified.

Sec. 510(d) requires the division of forestry to consult with the division of parks, etc. to promote effective management of the "Forest" (sic) and the Preserve.

Sec. 510(e) provides that "to the extent practicable," resource studies shall be designed to benefit both the Area and the Preserve. It is a matter of choice to the legislature (and not a matter of practicability) whether studies are designed to benefit both management areas or each separately. The matter should be clarified and an effective direction given; I note that the two areas are managed by different divisions within the same department.

Sec. 510(f) provides that the establishment of the Area has no effect on terms and conditions of existing permits or contracts involving use of the land, water, or other resources of the Forest (sic).

Sec. 41.15.520 provides for multiple use management.

Sec. 520(a) provides that land within the Area shall be managed under the principles of multiple use and sustained yield defined by AS 38.04.910 as well as pursuant to the "Forest Resources and Practices Act" as well as pursuant to a management plan prepared by DNR. I assume that the "Forest Resources and Practices Act" is AS 41.17. Language cast as temporary law within the section (the third sentence) should be recast as permanent law. The term "operational level inventory" is undefined and I do not know what it means. I do not know whether one was completed "within the last ten years". The reference to a "current" operational level inventory makes the language of the sentence temporary law.

Sec. 520(b) provides that DNR shall periodically review the management plan under AS 41.15.510; sec. 510 does not provide for a management plan. The second sentence

Senator Bettye Fahrenkamp  
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directing the preparation of the management plan and the third sentence providing for the temporary management of the Area are temporary law. The Haines-Skagway Area Land Use Plan is undefined and I do not know what it refers to.

Sec. 520(c) directs that a copy of the management plan and revisions to it shall be provided to the legislature at stated times.

Sec. 520(d) provides that the Department of Fish and Game is responsible for management of the fish and game resources "under applicable law" and consistent with the purpose and provisions "of this section". The purposes are in Sec. 500.

Sec. 520(e) assigns control of highway access and roadside structures to DNR; the Department of Transportation and Public Facilities is responsible for repair and maintenance of "existing" public roads in the Area; logically, new roads and their repair and maintenance are not addressed under this section.

Sec. 520(f) provides that the state land and water described in Sec 510(a) are closed to the conveyance of fee title (but not apparently to lease) and to future municipal selections. No lands are described in Sec. 510.

Sec. 520(g) provides for much consultation on the adoption of regulations.

Sec. 41.15.530 provides for a cooperative management agreement.

It has a single subsection (a) which provides that DNR may enter into cooperative management agreements with persons who hold title to or have a valid entry on land within or adjoining the boundaries of the Area. The purposes of the management agreement are not delimited or described and the section appears incomplete.

The bill requires further review.

If I may assist further, please advise.

RAB:ljb

# Resource Development Council for Alaska, Inc.

44 West 7th Avenue, Anchorage, Alaska 99501  
Box 516, Anchorage, Alaska 99510 - 907/278-9615

March 26, 1982

MAR 31 1982

FOR IMMEDIATE RELEASE

SS SB 794

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## RDC SUPPORTS CHILKAT BALD EAGLE PRESERVE

THE RESOURCE DEVELOPMENT COUNCIL CALLED ON ITS MEMBERS STATEWIDE TO SUPPORT THE CONSENSUS LEGISLATION CREATING THE ALASKA CHILKAT BALD EAGLE PRESERVE AND THE HAINES STATE FOREST RESOURCE MANAGEMENT AREA. IN A JOINT PRESENTATION WITH DAVE CLINE OF THE NATIONAL AUDUBON SOCIETY, RDC SPOKESMAN KEITH STUMP APPLAUDED THE COOPERATIVE APPROACH TAKEN BY BOTH ENVIRONMENTAL AND DEVELOPMENT INTEREST GROUPS TO RESOLVE THE RESOURCE ALLOCATION ISSUES.

"THE RESOURCE DEVELOPMENT COUNCIL NOT ONLY SUPPORTS THIS COMPROMISE LEGISLATION AS SO CAREFULLY WORKED OUT, IT SUPPORTS THE DIFFICULT BUT WORTHWHILE APPROACH WHICH LED TO THIS RARE CONSENSUS OF ENVIRONMENTAL AND DEVELOPMENT INTERESTS." STUMP SAID.

"THE MORATORIUM GOVERNOR HAMMOND PLACED ON THE AREA IN 1980 PREVENTS THE EFFICIENT DEVELOPMENT OF THE STATE TIMBER SALE ON NEARBY AS WELL AS DIRECTLY AFFECTED STATE LANDS. IT IS TO EVERYONE'S BENEFIT TO RESOLVE THIS ISSUE NOW."

"THE RESOURCE DEVELOPMENT COUNCIL IS AN ADVOCATE OF CONSERVATION WHICH MEANS THE WISE USE OF THE EARTH AND ITS RESOURCES." STUMP WENT ON TO OUTLINE THE PROTECTION PROVIDED IN THE LEGISLATION FOR THE USE OF THE PRESERVE AND SURROUNDING AREA. "TRADITIONAL USES, INCLUDING HUNTING,

\*\*\*MORE\*\*\*

RDC News Release  
RDC SUPPORTS CHILKAT BALD EAGLE PRESERVE  
March 26, 1982

TRAPPING, FISHING, SUBSISTENCE AND RECREATIONAL USES, OPERATION OF MOTORIZED VEHICLES AND THE HARVESTING OF PERSONAL USE FIREWOOD ARE SPECIFICALLY PROTECTED IN THE LEGISLATION, AS ARE "REASONABLE, TIMELY, AND ECONOMICALLY FEASIBLE ACCESS" FOR PRIVATE LANDOWNERS, AND MINING CLAIM AND MINERAL LEASE HOLDERS.

LOCAL INFLUENCE IN THE DEVELOPMENT OF MANAGEMENT PLANS AND REGULATIONS IS INSURED BY THE FORMATION OF A LOCAL ADVISORY COUNCIL, AND THE DIVISION OF PARKS IS PROHIBITED FROM USING EMINENT DOMAIN TO EXPAND THE PRESERVE OR TAKE AWAY PRIVATE LAND INHOLDINGS, STUMP NOTED.

A CRITICAL PART OF THE CONSENSUS LEGISLATION IS THE "SIMULTANEOUS CREATION OF THE HAINES STATE FOREST RESOURCE MANAGEMENT AREA WHICH IS DEDICATED TO THE MULTIPLE USE CONCEPT SO VITAL TO THE ECONOMY OF HAINES."

STUMP CONCLUDED WITH THE HOPE THAT OTHER CONFLICTING RESOURCE USE ISSUES COULD BE SIMILARLY RESOLVED THROUGH COMPROMISE AND CONSENSUS, RATHER THAN POLARIZATION AND LITIGATION.

\*\*\*\*\*END\*\*\*\*\*

# STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

## DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

POUCH M  
JUNEAU, ALASKA 99811  
PHONE:

March 25, 1982

The Honorable Bettye Fahrenkamp  
Alaska State Legislature  
Pouch V  
Juneau, AK 99811

Dear Senator Fahrenkamp:

As I understand you will soon be scheduling a hearing on Senate Bill 796 "an Act providing for the management of State-owned land in the Haines area, establishing the Alaska Chilkat Bald Eagle Preserve and the Haines State Forest Resource Management Area." I felt it would be helpful to provide the Resources Committee with a brief chronology of events leading to its introduction.

<u>June 1978</u>	Adoption of Haines/Skagway Land Use Plan
<u>August 1978</u>	Negotiated timber sale contract signed with Schnabel Lumber Co. for lands classified for timber harvest
<u>September 1979</u>	SEACC Lawsuit on Haines Timber Sale
<u>July 1980</u>	Governor's "moratorium" letter to Senator Hart (see attached) Haines Klukwan Resource Advisory Committee established. Haines/Klukwan Cooperative Resource Study begins
<u>June 1981</u>	Progress Report on Resource Study (see attached)

The Honorable Bettye Fahrenkamp  
Page Two  
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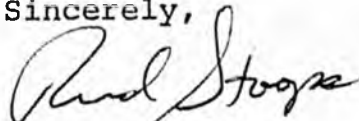
Haines Klukwan Resource Advisory  
Committee meets in Haines to discuss  
possible legislation to create State  
Forest and Eagle Preserve

March 1981

SB 796 introduced with letter of  
agreement by City of Haines, Haines  
Borough, Schnabel Lumber, SEACC,  
Audubon, USFWS, Alaska Miner's  
Association.

In summary, almost four years of debate, litigation, research,  
and compromise have preceded the introduction of SB 796.  
The Department of Natural Resources has a great deal of time  
and effort invested in this legislation, and urges your  
favorable consideration.

Sincerely,



Reed Stoops  
Director  
Division of Research  
and Development

Attachments



*Grand Camp*  
*Alaska Native Brotherhood*

*Grand President ANB*  
Robert R. Martin  
*1st Vice President*  
Ivan Gamble  
*2nd Vice President*  
Ronald Williams  
*Secretary*  
Albert Kookesh  
*Treasurer*  
Roy Bailey  
*Sergeant-At-Arms*  
Ray Sensmeier  
*Grand President ANS*  
Emma Widmark

WHEREAS, The State of Alaska through its legislative process has before it Senate Bill 796 entitled An Act establishing the Alaska Chilkat Bald Eagle Preserve, and

WHEREAS, The Alaska Native Brotherhood has within its members those who will be directly effected by passage of such a bill in either the House or the Senate, and

WHEREAS, the Alaska Native Brotherhood does not support such a bill at this time NOW

THEREFORE BE IT RESOLVED that the Alaska Native Brotherhood Grand Camp Executive Committee hereby gives notice of opposition to Senate Bill 796 and any companion bill in the Alaska State House of Representatives.

*Robert R. Martin Sr.*  
Robert Martin Sr. Grand President

Attest:

I certify that this resolution was adopted by the Executive Committee of the Alaska Native Brotherhood in Juneau Alaska on March 13, 1982.

*Albert Kookesh*  
Albert Kookesh Grand Secretary

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Roy Peratrovich  
Alfred Widmark

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Frank O. Williams  
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Cyrus Peck Sr., Grand Secretary Emeritus  
Mildred Sparks, ANS Grand President Emeritus