

(d)(2)--THE ALASKAN EXPERIENCE--MODEL OF RESOURCE STEWARDSHIP, OR CHAOS?

Richard H. Bishop

Regional Supervisor, Game Division, Alaska Department of Fish and Game

The Alaska lands issue and its implication for fish and wildlife management are the result of a series of larger political events. The main purposes behind these events were not conservation-oriented, but rather related to social, economic, and political goals of Alaskans and others. The principle elements were Native land entitlements, oil, Alaska's statehood, and more recently national politics.

The role of these factors in producing the present (d)(2) situation is characterized below.

Native Land Entitlement

The issue of Native land entitlement was unsettled from the time Russians appropriated Alaska. The Russians handled the matter forthrightly by taking what land they wished, which wasn't much, and allowing Alaskan Natives to keep the rest. Based on occupancy and use, aboriginal title to lands was acknowledged in various U.S. laws after U.S. takeover. However, an agreement to formally spell out land ownership was not actively sought until oil needs and State land selections stimulated all concerned to seek a solution. That solution was the Alaska Native Claims Settlement Act which passed in 1971.

State Land Selections

Under terms of Alaska's Statehood Act, the new State was entitled to select land from the public domain. When the young State began doing so, Natives realized that areas important to them for various uses might be selected and committed to incompatible uses. Many land claims were filed with the Interior Department, and Secretary Udall instituted a land freeze precluding State selections and other uses until Native land claims were settled. About the same time, a big push for Rampart Dam, which would have flooded several million acres in the Yukon Flats, added to the Natives' concerns.

Oil

The crunch came when a major oil field was verified at Prudhoe Bay in 1968, and people began to wonder how to get all that oil somewhere else. The land claims by then had become an issue that had to be resolved before an oil pipeline could be built, so the oil companies joined the Alaska Natives' effort to obtain appropriate Native Land claims legislation in Congress. Interestingly enough, environmental groups opposed this effort. ANCSA passed, paving the way for pipeline authorization and construction which ensued after a long legal battle.

## Section 17(d)(2)

Faced with an oil pipeline plus disposal of Alaska lands to Native and State ownership, environmentalists and conservationists were understandably dismayed. They succeeded in having Section 17(d)(2) included in ANCSA, which authorized the Secretary of Interior to recommend to Congress up to 80 million acres of land for possible designation as National Parks, Refuges, Forests, or Wild and Scenic Rivers. Secretary Morton nominated 83 million acres, which served as the base from which various legislative proposals with gay abandon identified up to about 140 million acres. Apparently inflation even had an effect on Alaskan land proposals!! Essentially, any contiguous lands not otherwise committed were added to the legislative pot. These additions were supported by various rationalizations, mostly pleas for ecosystem management.

Thus the Alaska lands issue was covertly conceived in the despair of pre-pipeline gloom, and born in the political labor of the Alaska Native Claims Settlement Act. Its maturation as Federal legislation and subsequent resource protection has been advertised as "the last great first chance" to protect wildlands properly. At the outset, many moderate Alaskan conservationists supported the principle of wildland protection, under the assumption that constraints on established renewable resource uses would be affected little by a logical scheme of National lands management.

However, legislation, like an organism, is not easily divorced from its origins. Conceived and born in political hot beds, the (d)(2) legislation matured as political fruit, to be plucked by the migrant fruit picker, i.e. politician, with the longest ladder. Complex economic, social, ecological, and cultural issues were reduced to inanities, and America was told, in essence, "support the environmentalist bill or Alaska will be destroyed."

Such a rallying banner, carried aloft on the wave of environmental awareness, ensured success in the politically susceptible U.S. House of Representatives, and helped the President snatch the political fruits.

Neither the environmentalists' bill nor the President have fared as well in the Senate. To put Congress over a barrel, the President established extensive National Monuments in Alaska and Secretary Andrus made extensive emergency withdrawals under the BLM Organic Act. These moves were politically, rather than environmentally, motivated.

The result of all these political machinations is that the (d)(2) issue will be resolved not in the context of a good conservation effort, but rather in the context of other political considerations, just as it began. Lands, oil, environmental politics, and national politics will continue to outweigh serious conservation considerations. Bill Rice noted that the Marine Mammal Protection Act suffered from its complexity- Alaska lands legislation does it "in spades."

The climate for truly cooperative management will bear a striking resemblance to the weather outside today--gloomy. On the inevitable Federal enclaves, protectionist interests will be mediated politically through Washington, while in other areas, traditional uses will fare better. From the standpoint of cooperative management and stewardship, we may be closer to chaos than connubial bliss.

Paradoxically, Alaska has been decreed an environmental virgin by Presidential proclamation, but faces the threat of being ravaged as a result of Federal commitments to oil production in the marine environment, and forced to submit to a renewable resource management regime ill-suited to the needs of its people or its resources.





# *WESTERN PROCEEDINGS*

*Fifty - Ninth Annual Conference of the  
Western Association of  
Fish and Wildlife Agencies*

*Anchorage, Alaska  
July 22 - 26, 1979*