

Sustainable Development of the Arctic in the face of Global Climate Change: scientific, social, cultural and educational challenges

# ALASKA INDIGENOUS LAND CLAIMS



Sharon McClintock

Alaska, USA



# ANCSA

- Alaska Native peoples have used and occupied lands in Alaska since time immemorial. The traditional use of land by Alaska Natives required no written laws to show ownership. Early laws: The Treaty of Cession (1867), the Organic Act (1884), and the Alaska Statehood Act (1959) by design failed to resolve the issue of aboriginal land and political rights in Alaska, leaving this issue to be decided in future legislation.

# Aboriginal Rights Extinguished

- Currently Alaska Native people occupy and utilize land based upon both private ownership rights and the ANCSA. With the enactment of ANCSA, its provisions extinguished long held aboriginal title which had been basically "deferred" for more than a century, but compensated the Native Corporations with \$962.5 million in State and Federal royalties for the land that the Federal Government gave away. The ownership of traditional land used and occupied and its preservation was the greatest goal of ANCSA Corporations.



# Profit Making Native Corporations

- ANCSA had another purpose; to create a mechanism for economic development in Alaska, particularly in rural areas. Selection of ANCSA lands by the Native Corporations was based on several main values; First - for protection/control of culturally important areas, primarily for subsistence use; Second - for control of coastal and transportation routes and areas; and Third – to control of areas of likely future development, primarily for subsurface mineral resources. The Federal Government Agency, Bureau of Land Management is tasked with transferring title to the corporations; a task which is still ongoing after 38 years.

# ANCSA Land Impacted

- The changing arctic environment has prompted concern about the impacts to ANCSA lands and the Native peoples that depend on them. In fact, it is hitting close to home, so close that some are falling into the sea.



Al Rolf Photo



# Village Land Eroding

- Permafrost is thawing, causing some homes to shift in place, and ice cellars to melt. While the corporate model that holds title to the land depends on the success of the bottom line to survive, the Alaska Arctic peoples continue to depend heavily upon the natural environment for their livelihood and sustenance of their culture. ANCSA lands located along Alaska's coastline realize serious threats to loss of their land base and subsistence activities due to erosion and flooding. Unseasonably warm weather, severe sea storms, and melting permafrost and the Polar ice cap is raising the sea water level, causing subsistence camps and some entire villages along the coast to be threatened by the sea.

# Shishmaref



Source; Shishmaref Relocation Coalition

Gabions; Source: Kawerak





# Shishmaref Subsistence Sites



Typical Subsistence claim along coast; S. McClintock©



# Shishmaref Subsistence Sites



Open underground storage

S. McClintock©



Covered underground storage; S. McClintock©



# Shishmaref Subsistence Sites



Skin drying rack; S. McClintock©



Skin stretching area; S. McClintock©



Meat drying racks; S. McClintock©



# Subsistence Affected

- The 100 year storms became 50 year storms, then 25 year storms and now they occur almost every year. New aerial photography of Shishmaref was recently compared to the 1972 map documenting the claims. It is sad to see that most of the coastal claims near and within the village are mostly gone. The lagoon claims have also shrunk in size and there is no room to move them back because they would encroach into the new State airport boundaries. These subsistence sites processed 80% of the village's subsistence foods. People that moved their subsistence sites back are now on private corporation lands and have no claim to make on land used after 1971. Others lost their sites as there was no room to move upland.

# Relocation Efforts: Starting Over

- Attempts by the US Army Corps of Engineers to stabilize the erosion is a temporary fix bringing very stark revelation of man's inability to control the results of this climate change. Gabions and seawalls designed to last 25 years may last 5 to 10 years or even be destroyed by the next storm. Efforts by Shishmaref over the last ten years to relocate their village to a new site were scrubbed because the new site chosen has poor permafrost and a subdivision created for the new village would not be approved by the platting authority, the State Department of Natural Resources. The best sites for a village have been selected under the Native Allotment Act and are privately owned. Shishmaref sources said in January, "They are back to square one and starting over." The cost for moving the village is around \$180 million.



# Wales, Alaska

- Wales, an ancient village located at the northwestern most tip of Alaska, and Little Diomedede, two miles from neighboring Russia are also traditional villages that depend almost entirely upon a subsistence economy for their livelihood.

# Wales Early Photo



Wales archive photo; Source: Kawerak



# Wales Recent Photo



Source: Kawerak

# Little Diomedede

- Little Diomedede, "Inalik" is located on an island that is 2.8 square miles in size and is home to over 150 people. The sea provides the staples for their livelihood; seal, polar bear, blue crab, fish, walrus, and whale meat. Their source of water comes from a mountain spring in the summer, but in March when the water tanks run dry, they melt snow and ice for their everyday needs. There is a lack of suitable land for more housing, and a water and sewer system. There is no airport runway or landfill. In the winter they land on the ice and a helicopter brings mail once a month. The village depends on underground ice cellars, or "sigloaks" to store subsistence foods. These sigloaks which are built in the permafrost are beginning to melt. The difficulties are fueling the desire of some people to relocate the village.



# Little Diomedede, "Inalik"



Source: Kawerak

# Little Diomedede, "Inalik"



Kim Heacox/ Accent Alaska



# Kivalina, Alaska

- In Kivalina, the Northwest Arctic Borough funded a \$2.5 million protective ten-foot-tall seawall, a bulwark of fabric-lined baskets filled with sand and reinforced with wire. Within a month of its completion, powerful undertows pulled the sand under the barrier and dismantled the seawall. In 2007, the year when the village evacuated during a storm, ice cellars filled with water and spoiled caribou and seal meat that typically stays frozen in permafrost 10-12 feet down.

# Kivalina



Kevin Horan



# Kivalina



Teacher's House Lost foundation.

Richard Sage is 2 ft from the bank.

Andrew Baldwin at the edge of the bank.



# 2008 Kivalina Erosion Control Project



Ron Cothran



# Relocation Decision

- When a village decides to move their entire community, funds promised for community improvement projects by the State and Federal government virtually cease, leaving community to deal with hardship and social problems stemming from lack of basic amenities such as sewer and water and housing. Some families are moving into the cities as the cost of living is too high to live in villages.

# Relocation Efforts

- Relocation of villages requires coordinated efforts and tremendous amounts of money. It is difficult to find suitable sites that meet the minimal requirements of providing for subsistence activities while providing an area suitable for the development of modern “necessities” such as modern homes, water/wastewater facilities, landfills, schools, and airports. Obviously serious planning must be accomplished prior to a village relocation to make sure the society is sustainable.



# The Land: Our Last Hope

- There is a general lack of understanding of how dramatically climate change is affecting Alaska villages and that third world conditions exist there. There is a crisis and a need to act quickly before some villages are wiped off the map. And there must also be adequate planning to make sure the new communities are sustainable. Land in Native control and ownership is the last hope for the survival of our peoples' identity, culture, traditional land use and economic viability.

# Future Development Inevitable

- We are aware that resources will be developed in the ocean and on State and Federal lands near our villages. The need to develop resources was the driving force behind the settlement of our land claims and back then we were not consulted. It is our hope that we will always have a voice and be involved in decisions that affect us.



# Recommendations

- 1) US Federal Government must enact special measures to ensure Alaska villages qualify for and receive federal assistance for erosion protection and relocation. Congress should also appropriate funding for villages to acquire lands from ANCSA Corporations or Native allotments for relocated village sites, since the most suitable lands are located on these sites.

# Recommendations

- 2) State and Federal Government agencies must fully coordinate efforts to plan and help Alaska villages establish a comprehensive relocation strategy and educate them on all of the necessary requirements. Planning should include the theme of “Sustainability” as a primary theme in all disciplines. The sustainable community should be energy efficient, economically viable, and have the basic amenities of sewer and water systems, a permitted landfill, safe airport, energy efficient housing, clean alternative energy to reduce use of fossil fuels, and an educational system that incorporates preservation of the language and culture.



# Recommendations

- 3) Archeological studies of coastal historical sites and village sites must be performed to help document the past land use and culture of Inupiat people before they too disappear into the ocean.