

TESTIMONY OF MARGIE BROWN
For
COOK INLET REGION, INC.
BEFORE THE HOUSE RESOURCES COMMITTEE
On H.R. 3048
June 5, 2002

Thank you, Mr. Chairman, Congressman Young, and members of the Committee. I appreciate the opportunity to testify before the House Resources Committee today on a matter of importance to Cook Inlet Region, Inc. and to urge approval of the "Russian River Land Act." – H.R. 3048.

My name is Margie Brown. I represent Cook Inlet Region, Inc., which is often referred to as CIRI. CIRI is an Alaska Native Regional Corporation created under the Alaska Native Claims Settlement Act of 1971 (ANCSA). CIRI is owned by Alaska Native shareholders. I am one of those shareholders. I began my work at CIRI in 1976, not many years after the corporation was formed. For my entire career at CIRI, I was directly involved in CIRI's land entitlement issues.

Twenty-five years ago, I helped prepare and file CIRI's ANCSA land selections at Russian River on the Kenai Peninsula in Alaska. At that time, I had no idea that over twenty-five years later CIRI would still be awaiting land conveyance at Russian River. This lack of conveyance has been a source of frustration to CIRI in the past, but today I am pleased to report to you that CIRI has moved beyond this frustration. We have moved beyond the simple, but justified request of outright conveyance at Russian River. CIRI now wishes to embark on a collaborative approach to management of the area with the two current federal land managing agencies.

This collaborative approach is embodied in an agreement between CIRI, the Fish and Wildlife Service and the Forest Service that was entered into on July 26, 2001 and is titled the "Russian River Section 14(h)(1) Selection Agreement". This agreement reflects three years of negotiations between the parties. Because certain terms contained in the agreement require new authority in order to be implemented, the settlement is not effective without ratifying legislation. HR. 3048 ratifies the agreement reached between CIRI, the US Forest Service and the US Fish and Wildlife Service and settles the land ownership issue at Russian River in a way that fulfills CIRI's entitlement and protects the public's interest.

Why did it take over three years to negotiate this settlement agreement? Why was conveyance to CIRI not easily forthcoming in the first place? Simply put, the area is so important to both CIRI and the federal agencies involved that compromise was difficult to obtain. The area surrounding the confluence of the Kenai and Russian Rivers is rich in archeological features reflecting intense Alaska Native use of the area -- perhaps going back ten thousand years. In fact, many CIRI shareholders are descendents of the Outer Inlet Dena'ina who occupied the Russian River area in earlier times. CIRI believes it is precisely this kind of site that was contemplated as being available for selection by Alaska Native Regional Corporations under ANCSA.

The federal agencies, representing the public, also feel strongly about the Russian River area because it is the site of perhaps the most heavily used public sports fishery in Alaska today. Because of the intense public use and scrutiny, the federal agencies were placed in a position to resist conveyance to CIRI for fear that conveyance would disrupt the public's enjoyment of the area.

It was clear to the parties that without a settlement agreement, long and difficult litigation was likely, and the land ownership at Russian River would remain uncertain for years. While CIRI is no stranger to pursuing long and difficult litigation in order to secure its entitlement under ANSCA, in this case CIRI believes that it can best achieve what it desires at Russian River through settlement.

In reaching settlement at Russian River, CIRI goals were threefold.

First, CIRI desired to insure that proper management of the rich cultural resources is maintained and that an understanding of the enduring use of the area by Alaska Natives is achieved. Further, CIRI wished that this be achieved in a manner that provides CIRI and its larger family of Alaska Native organizations an opportunity to participate in the management of those resources.

Second, CIRI desired that federal management of the intense public use of the Russian River area remain in place so that burden is not shifted to CIRI.

Third, CIRI wished an opportunity to develop new economic opportunities in tourism and recreation consistent with the cultural resources of the area and to promote new economic opportunity at Russian River for CIRI shareholders through training programs and new employment venues.

I believe CIRI met its goals in reaching the Russian River Section 14(h)(1) Selection Agreement. Through the negotiation process, CIRI has come to recognize the interests of the Fish and Wildlife Service and Forest Service at Russian River. In turn, we hope that the agencies have come to recognize CIRI's legitimate interests at Russian River. We look forward to the future where CIRI, and the Fish and Wildlife Service and Forest Service, together with the Kenaitze Indian Tribe, will work together to manage and to celebrate the past history and the new opportunities at Russian River.

Mr. Chairman, in consideration of the time allotted me, I would like to extend my testimony to include a written summary of the Russian River Section 14(h)(1) Selection Agreement. I would be happy to answer any questions the Committee may have.

Thank you.

EXTENDED REMARKS BY MARGIE BROWN
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H.R. 3048 ratifies The Russian River Section 14(h)(1) Selection Agreement (Agreement) covering lands surrounding the confluence of the Russian and Kenai Rivers. The Agreement benefits the parties and the general public in the following ways:

- The Forest Service campground and Fish and Wildlife ferry site and most of the land at the Russian River remains in federal ownership and control.
- The right of the public to continue fishing remains unchanged from the current status.
- From Forest Service lands, CIRI is to be conveyed a 42-acre parcel on the bluff overlooking the confluence of the Kenai and Russian Rivers, and an approximately 20-acre parcel near where the Sterling Highway crosses the Kenai River. The 20-acre parcel is subject to Section 14(h)(1) restrictions. In addition, a public easement managed by the Forest Service along the banks of the Kenai River is reserved on the 20-acre parcel.
- From Fish and Wildlife lands, CIRI is to be conveyed the limited estate of the archeological and cultural resources in approximately 502 acres. The lands are well-documented villages and cultural sites. In other lands, CIRI's future rights to any archeological material, if and when any of this material is removed, is clarified. Thus, CIRI's ANCSA entitlement is fulfilled in a manner that accommodates the public's interest.
- With these conveyances, CIRI will relinquish its ANCSA Section 14(h)(1) selections in the area, now totaling 2,010 acres.
- The parties agree to pursue a public visitor's interpretive center for the shared use of all three parties to be built on the 42-acre parcel to be conveyed to CIRI. The visitor's center would provide for interpretation of both the natural and cultural resources of the Russian River area. A public joint visitor's interpretive center would include interpretive displays, thereby enhancing educational and cultural experiences for Alaskans and tourists alike.
- In conjunction with the visitor's interpretive center, the parties agree to seek the establishment of an archeological research center that will facilitate the management of the cultural resources in the area.
- CIRI seeks a \$13,800,000 federal appropriation to plan, design, and build the joint visitor's center and the archaeological research center that is contemplated in the Agreement.
- Certain visitor-oriented facilities may be developed by CIRI on the 42-acre parcel. These facilities may include a lodge, dormitory housing for staff and agency people, and a restaurant. CIRI agrees to seek input from the federal agencies as to their needs and desires for the area.

- The parties commit to enter into a memorandum of understanding for the purpose of ensuring the significant activities at Russian River are carried out in a cooperative and coordinated manner. Management of the area is enhanced through the parties' commitment to address the long-term protection of the natural and the cultural resources. In addition, the Kenaitze Indian Tribe, the local tribal entity, has been invited and has expressed interest in participating in future efforts and planning at Russian River.
- The Agreement also authorizes, but does not require, the exchange of land lying adjacent to the Sterling Highway at Russian River for important brown bear habitat near the Killey River in the Kenai Peninsula owned by CIRI.