

# The Alaska Chilkat Bald Eagle Preserve: How It All Began

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Let me introduce you to the Alaska Chilkat Bald Eagle Preserve—a place that is unique—because what you find there you won't find anywhere else; because it's the only preserve in the state of Alaska; because people set it up before it was too late; because Bald Eagles and people are able to look at each other there without fear; because preservationists and industry people created it together; because the preserve is inclusive rather than exclusive; and because it is habitat for a wide variety of birds: waterfowl, songbirds, raptors; wildlife: moose, bear, wolves, coyotes; fish: salmon, trout, eulachon; humans: skiers, airboaters, snow machiners, hunters, trappers, fisherfolk, hikers, berry pickers, photographers, sightseers and researchers.

The Tlingit people knew about the preserve area long ago. They watched the eagles gather and disperse. They knew the connection between salmon and eagles. They knew that when the birds ate well, people could too. Early non-Native settlers knew about the eagles also. The soldiers at Fort William H. Seward, or "Chilkoot Barracks," knew about the eagles—in the days of the federal bounty on eagles, soldiers supplemented their government pay with bounty funds. Lots of folks knew about the fall and early winter gathering of countless Bald Eagles on the shores of the Chilkat River near the Chilkat Indian village of Klukwan. The National Audubon Society learned of the eagle concentration in 1970, when a Haines resident wrote to the society to suggest that Audubon should look into the need to preserve the habitat that was the basis for the gathering.

Two years later, the area's legislative representative, Morgan Reed of Skagway, proposed a bill to set aside an area in the Chilkat Valley as a protected habitat for the eagles that gather there each fall. He asked for local views about his proposal—and he got them. In one of the biggest meetings held in Haines to that point, a large number of people objected strongly to a fish and game habitat area, citing interference with local economic development and access to private lands. They also claimed that eagles were already protected by federal and existing state statutes. Reed agreed to withdraw the bill. Nonetheless, in June of 1972 a bill creating a 4,800-acre critical habitat area on the Chilkat River became law without the governor's signature.

By the late 1970s the Haines area was depressed economically. Two sawmills had closed. Special legislation had been passed to permit long-term state timber sales. A long-term

sale of local timber that would permit one mill to open was being held up by litigation. And onto the scene came the National Audubon Society with a proposal for a four-year study of the Chilkat Bald Eagles.



Bald Eagles gather along the Chilkat River, in the Alaska Chilkat Bald Eagle Preserve. Photo by Scott Gende.

In May of 1980, while the U.S. Congress was trying to resolve the Alaska lands issue, there appeared in the Senate bill a section that declared the annual gathering of the eagles "a unique national resource." That section called for a three-year study of the eagles and it authorized land swaps permitting the U.S. to acquire private or state lands in the area of the eagle study. Elected officials and community organizations fought to remove any reference to the Chilkat eagles from the legislation. Groups favoring and groups opposing sent lobbyists to Washington and the Alaska state government also entered the fray. Governor Jay Hammond wrote then-Senator Gary Hart, who sponsored the eagle section in the bill: "At present, there are no plans for development in areas currently thought to be of great importance to the eagles. To alleviate concern about the future possibility of such actions prior to completion of the studies I am declaring a moratorium on all major development activities within the essential Bald Eagle habitat."

This is to include any planning for road and bridge construction. Customary and traditional uses important to the welfare of local residents and which in past years have not adversely impacted the eagles will continue to be permitted in these areas. Such uses will include, but are not necessarily limited to, hunting, fishing, trapping, subsistence, prospecting, general recreation and both motorized and non-motorized access.

### **The state agreed to fund studies during the moratorium.**

A Haines-Klukwan Cooperative Resource Study Committee made up of local citizens and state agency people worked to coordinate studies of the area. By late 1981, when the Alaska Legislature was considering a proposal to create a state forest system, the Resource Study Committee recommended setting aside an area for eagle protection in the proposed Haines area state forest. Apparently the community had tired of the bitter wrangling that the several years of depressed economy had generated. Apparently people were tired of the claims and counter-claims that eagles, preservationists, the federal government and conservationists from the Lower 48 were responsible for both the local economic woes and the moratorium on development in about 53,000 acres while the resource studies were underway.

In late January 1982, however, a day-long Saturday meeting in Haines got nowhere. State agency representatives, local timber interests, local conservationists and local government officials were unable to agree on what was needed. But then, as so often happens in Alaska, the weather and the transportation system stepped in. The State folks bundled themselves up to return to Juneau. Snow began to fall. The nearby mountains disappeared. And the airlines shut down. The state ferry system, the only other means for public travel south, was not scheduled until the next day. Someone suggested an evening get-together to rehash the eagle/forest problem. And, lo and behold! a set of essential needs for eagle habitat, for reasonable access, for in-holder rights, for transportation, for subsistence and traditional use, for timber and mineral industry use were discussed, debated and-wonder of wonders-agreed upon informally.

From that Saturday it was all downhill. Oh, there were plenty of small uphill stretches, but by late February there was agreement among a very diverse set of interests on a very carefully worded legislative bill. Actually, it was a bill that no one really liked in total, but it was a bill that everyone could live with.

Imagine, if you will, a community in which for several years folks would shout each other down at public meetings, where the letters to the editor columns in the local newspaper were full of vituperative name-calling, where industry advocates were often seen as out to cut every tree, where eagle and fish habitat advocates were often seen as trying to lock up the whole Chilkat Valley. Think of what it meant for eight widely different groups to agree upon legislation that set up a Haines State Forest Resource Management Area that let the timber industry know where it could operate on a long-term basis, that guaranteed habitat for eagles and the fish they depend upon and that allowed the customary and traditional uses of the areas involved to continue as they'd been going on for generations.

Those eight signatories to the Alaska Chilkat Bald Eagle Preserve and Haines State Forest Resource Management Area legislation were: Schnabel Lumber Company, the major local timber industry representative, the Haines chapter of the Alaska Miners Association, the National Audubon Society, the U.S. Fish and Wildlife Service, Lynn Canal Conservation, the major local conservation organization, Southeast Alaska Conservation Council, the mayor of the City of Haines and the mayor of the Haines Borough.

The signatories agreed that no changes would be permitted in the wording of the bill unless all eight approved and they urged the governor to sign it. In a letter sending the proposed legislation to then Governor Hammond the signatories wrote: "We are convinced that this 'Alaskan Solution' has the potential for adequately protecting local, state, national and international resource values and other interests in the Chilkat and Chilkoot valleys and could well serve as a model for resolving similar conflicts elsewhere in the State. Furthermore, successful implementation of this legislation once passed should demonstrate to all Alaskans and to the Nation as a whole that protection and management of resource values and other interests can in fact be successfully accomplished."

Note that there was not general support for the proposed legislation from the Native community. The people of the Chilkat village of Klukwan questioned whether the state had the right to create a state preserve on land to which they had a claim that was at that moment being litigated. Numerous Native allotment applications were still stalled in bureaucratic red tape and the applicants wondered what would happen to their allotments that were within either the Bald Eagle Preserve or the state forest. The proposed bill carefully excluded private land from the preserve and the forest and specifically treated Native allotments-both approved and pending-as not in the preserve and forest.

The bill also created a 12-person Alaska Chilkat Bald Eagle Preserve Advisory Council with representation from the State Division of Parks, the State Division of Forestry, the State Department of Fish and Game, the U.S. Fish and Wildlife Service, the mayors of the City of Haines and of the Haines Borough, the President of the Council of the Chilkat Indian Village of Klukwan, the President of the Chilkoot Indian Association, the President of Klukwan, Inc. (the for-profit Native corporation created by the Alaska Native Claims Settlement Act), the local business community, the Upper Lynn Canal Fish and Game Advisory Committee and a conservation organization.

On June 15, 1982 Alaska's Governor, Jay Hammond, signed the bill into law, establishing the Alaska Chilkat Bald Eagle Preserve and the Haines State Forest Resource Management Area.

For eight years the preserve advisory council has been fighting for funding for the preserve. It convinced the legislature in 1990 to provide some operating funds. The council also has been working to be sure everyone understands that although the preserve is part of the state parks system, it is not a park. Part of the uniqueness of the preserve is

that even though it is set up for eagles and their habitat and fish and their habitat-not for people-its location alongside a major highway makes it a tremendous drawing card for visitors. Because the preserve is part of the parks system, the instinct is to treat it like a park; but everyone connected with writing the enabling legislation wanted to be sure that the activities that had been customary and traditional and at the level and means prior to preserve statutes-were continued. Special regulations that differ somewhat from standard park regulations were created by the advisory council.

In closing, I'd like to point out that what started out as an attempt to protect eagles and fish and their habitat has become a world-class tourist attraction. It has been interesting and rewarding to see that many people who had steam coming out of their ears at the thought of setting aside an inch of ground for eagles-what was often phrased as "locking up the valley"-are now proudly proclaiming Haines as the "Eagle Capital of the World" and recognizing the eagle preserve as an important addition to the economy of the region. Proponents and opponents of the eagle preserve smile at each other now, talk with each other now and listen to each other now. It may not be easy, but resource conflicts can be resolved. Perhaps that's the most important thing about the Alaska Chilkat Bald Eagle Preserve.