Alaska Tribal Resilience Learning Network

Land and Climate Work Session

April 29-May 3rd, 2024

Bethel, Alaska



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Project Overview

Project Background

Alaska Indigenous communities have endured significant and ongoing social, political, and economic change since contact. Alaska's land is also changing, our climate is warming and extreme weather events are becoming more frequent. These changes challenge traditional and contemporary ways of interacting and making community decisions, affect local and tribal governance, and Western-based organizations and approaches to land management. Alaska is now in an era where crucial responses and strategies are needed as climate change impacts food security, mental and physical health, safety, vital community infrastructure and significant land decisions.

There has been very limited land planning training for Indigenous communities in Alaska since the passage of the Alaska Native Claims Settlement Act (ANSCA) and how it impacts Tribal land decisions and climate adaptation for Alaska Native Tribes. In the last two years Alaska Climate Adaptation Science Center (AK CASC) has been in the process of developing land training that explores the interface of climate change and land use decisions and land planning decisions.

Through funding with the First Nations Development Institute; Stewarding Native Lands program AK TRLN was able to develop and execute this as a pilot work session in Bethel, Alaska.

Learning Impact Objectives

- Discuss the contemporary land-use planning context and traditional land use decision-making processes.
- Provide and discuss examples of climate change issues facing Alaska, focusing on those issues which involve land-use and planning decisions.
- Provide practical, real-life examples of strategies and planning tips used by communities to address climate change impacts.

Project impact

- Strengthened partnerships: Our team recruited four subject matter experts, all who were indigenous Alaskans familiar with land issues, to advise our team on curriculum and agenda items which increased conversation and strengthened our engagement with the Native Movement, Bureau of Indian Affairs; Realty Division, Association of Village Council Presidents, and the NANA Corporation.

- Established curriculum and methods: This project allowed us to finalize existing curriculum that can be used for similar trainings.
- Regional Engagement: We accepted 18 participants from the Yukon Kuskokwim-Delta, representing: Bethel (3), Kipnuk (1), Chefornak (1), Tununak (1), Nightmute (1), Marshall (2), Hooper Bay (1), Akiak (6), Quinhagak (2).
- Evaluation of training: All participants felt the workshop increased their understanding of contemporary land use planning context, either *a lot* (n=9) or *quite a bit* (n=7).
- Community Leadership Development: One participant noted in our evaluation this was the first land training that they have ever received as a land planner.

Agenda

Tuesday, April 30th

8:30 Arrival/Coffee/Light Breakfast

9:00 Welcome and Opening
9:50 Break
10:05 Introductions and Hellos
11:00 Context of climate change
11:30 Case Studies
12:00 Lunch
1:00 Debrief Exercise
1:15 Assessing Viable Land
2:15 Land and Climate Language Activity
2:45 Break
3:00 Traditional Knowledge and Land Planning
4:00 Land Basics
4:30 Closing Reflections
5:00 Close

Wednesday, May 1st

8:30 Arrival/Coffee/Light Breakfast
9:00 Reflections on Previous Day
9:15 How Western Frameworks Impact Land Use Decisions
10:15 Break
10:30 Land Basics (continued)
11:00 Land Owners and Acquiring Land
12:00 Lunch
1:15 Describing Current Land Situation and Needs
2:30 Break
2:45 Short and Long Term Strategies
4:30 Closing Reflections
5:00 Close

Thursday, May 2nd

8:30 Arrival/Coffee/Light Breakfast
9:00 Reflections on Previous Day
9:15 Land Planning at the Local Level
10:15 Break
10:30 Building an Action Plan
12:00 Lunch
1:00 Timescale of Planning Discussion
2:30 Training Evaluation
3:00 Break
4:30 Closing Reflections
5:00 Close

Training Highlights

Technology of Participation Methods

AK-TRLN collaborated with Barbara MacKay from North Star Facilitators to introduce the Technology of Participation (ToP) method for strategic planning. This approach emphasizes group participation and collaborative decision-making to identify goals, analyze challenges, and develop actionable strategies. It aims to create strategic action plans that are well-informed, supported by consensus, and aligned with collective vision and objectives.

ToP was woven throughout the training where participants identified their needs, obstacles, and devised strategic approaches to create an action plan to bring back to their communities.



Case Studies

Newtok/Metarvick Relocation Effort

Presented by Kaitlyn Demoski

Newtok is a Yup'ik village in the Yukon-Kuskokwim region and has been facing threats from climate change-induced erosion and melting permafrost for decades. Since the early 1980s, accelerating permafrost thaw and rising sea levels have caused rapid erosion, with the river eating away 70 feet of land per year at times. Our team presented a case study of Newtok relocation efforts at the training as it is depictive of the historical circumstances leading to the elements of land decisions we grapple with today in rural Alaska, and regional challenges of relocation including how much time a

land resolution can take. In Newtok's case, a land transfer for a village site was a 20 year process, during which the erosion escalated and continued to damage critical infrastructure including sewage systems. Newtok Village corporation lands were selected during ANCSA based on subsistence value and traditional use areas, but as the climate has changed much of these selected lands are unsuitable for village sites including permafrost and wetlands.

Relocation Process

- In 1994, Newtok began analyzing potential relocation sites and selected Metarvik in 1996, about 9 miles away on stable ground.
- In 1996, Newtok Native Corporation passed a resolution authorizing the corporation to negotiate a land exchange with USFWS. The Corporation identified ~19k acres for the new village site
- In 2003 Congress approved a land exchange between the Newtok Village Corporation and the U.S. Fish and Wildlife Service
- The Newtok Planning Group, formed in 2006 with state/federal agencies, developed a relocation strategy.
- Relocation cost estimates ranged from $80 million to $130 million by the U.S. Army Corps of Engineers.
- In October 2019, around one-third of Newtok residents officially relocated to Metarvik, making it the first village to relocate due to climate change, though basic amenities are still lacking.



Quinhagak - 14c3 Land Transfer

Presented by Jerilyn Kelly
Quinhagak, situated on the Yukon Kuskokwim Delta like Newtok, is grappling with severe erosion and permafrost degradation, which poses a significant threat to its infrastructure. Jerilyn Kelly, the Mayor of Quinhagak, shared insights into the community's land exchange efforts during a presentation.

One distinctive aspect of Alaskan communities, unlike tribal reservations in the continental U.S., is the presence of multiple entities governing local jurisdiction. These include municipalities, ANCSA Village and Regional corporations, and tribal governments. Under ANCSA Section 14c3, municipalities have the authority to select up to 1280 acres from the village corporation land for current and future land use. However, this process necessitates agreement between the village corporation and municipality. Jerilyn highlighted some of the challenges she encounters as the current municipality leader in navigating these complex governance structures and land management issues.

- In 1996, the City of Quinhagak passed a resolution stating they were satisfied with 170.576 acres of land of the 1280 acres they received from the Corporation under ANCSA 14c3.
- 1999, Quinhagak started facing erosion, with their airport at risk the City of Quinhagak and the Village Corporation made an amendment to the previous 14c3 agreement; where the corporation issued 160 acres for a new site for airport and that they will allow additional selections of land so long as the total conveyed land does not exceed 1500 acres.
- 2000, The City of Quinhagak received $2 million to update their water/sewage infrastructure. However, due to permafrost degradation, the pipes were not staying in place. Additionally, their new water treatment plant was built on a concrete slab on the ground leaving it vulnerable to shifting permafrost.
- The City of Quinhagak received money to install thermosyphons, a way to keep the ground refrigerated to maintain stability. The City of Quinhagak requested additional land from the Village Corporation per the agreement, the Village Corporation refused citing the 1996 resolution.

Until better communication and coordination is attained, the ANCSA 14c3 land transfer is delayed.

Case Studies Reflection

- Start right away, understand the funding
- Work in collaboration with other entities
- All surprised about the Newtok speed of erosion. Cost of studies to collect data to make decisions is not cheap. Collect and trust the data. Our ancestors would say

something because they noticed it, but DC doesn't care until they see data. Use material that doesn't conduct heat in pilings.

- Amazed at the timeline of Newtok - they had so much land before the erosion occurred. Good documentation starts the process. Like the Quin example of getting students involved in the data collection.
- ANTHC is a good resource now for western villages.
- Amazing how much erosion occurred. We can't just gather a few communities, we need the whole region to get together and talk with each other about how to help each other and help the communities that are in the most need. We're all experiencing it - on the river system and in the tundra.
- History is part of the solution.
- Bethel Sea Wall goes all the way across the community. The sea wall was eroding. They used to be a grave site down there, but it has eroded away.

Timeline of Important Laws and Events Impacting Tribal Governments in Alaska

Presented by Kevin Illingworth
Professor Illingworth from the University of Alaska Fairbanks Tribal Governance Program attended virtually to cover the history regarding the colonization of Alaska. The full timeline can be found here:
https://public.courts.alaska.gov/web/cip/docs/icwa/timeline-laws-events.pdf

Review of this timeline and history in Alaska helped to frame the larger context of how contemporary land management was formed here in the State. Which increased understanding of the complexity and barriers that Tribal Governments may run into when making land planning decisions, especially while under pressured schedules due to a rapidly changing climate.

Land basics

Presented by Diane Sam
Who owns the lands around the village? Village corporation, Feds (wildlife refuge, BLM, FWS), state land (at the airport and airport road, tidelands sometimes), city might get land from corporation or old BIA schools were turned over to the city or state, churches get lots of land sometimes - that church's decision body could be in the lower 48. Tribes own small amounts of land - maybe from townsite act, some just purchase land.

- When corporations are making decisions, who for? Shareholders
- When the city makes decisions, who for? City residents
- When the tribe makes decisions, who for? Tribal members
- When the state makes decisions, who for? State residents

- When the feds make decisions, who for? All of US residents
- When the borough makes decisions, who for? Borough residents
- Who makes the land decisions in a corporation? The board. What do they use to show their decision? Bylaws (tells how they're supposed to act). Resolutions, policies. Corporations have land policies.
- City has their Code of Ordinances and resolutions. Can a resolution transfer land to someone? It's authorized but not finalized. Resolutions can show intent, but then the deed/lease needs to be done
- ANCSA gave land to Native Corporations. Then they developed 14ce - 4 parts.
    - 1) People who were already on the land before ANCSA - Individuals could claim their homes.
    - 2) Non profits (VFW, churches, etc).
    - 3) Any community land needed for foreseeable uses. Corps will transfer 1280 acres to their city/state-in-trust.
    - 4) Airports (states normally owned the airports) could claim their land.
    - They didn't want to give land to the tribes, so they created an entity called state-in-trust. The trust officer negotiates with corporations. Some communities don't have cities (like Kipnuk, Tununik, Kwig, etc.)
- If you had to move your community center in the next year, how would you decide where it goes? You'd need your corp. Who owns or runs it? The tribe. Would you involve the city? Yes, all at different levels. How would you know where to put it?
    - Always basing your decisions on traditional knowledge, elders, wisdom. Depending on how big the decision is, they go to the elders. Some communities are losing their elders. The younger group has to move up.
    - Climate - if you're getting increase precipitation on your land, then how will that affect where you can put new houses? Overcrowding or just replacement for housing getting destroyed.

Northern Climate Reports

Presented by Malinda Chase

Based on all of our conversations today, we all know our communities are experiencing change. Impacting us in the state and especially this region.

- In the interior - increase fires, severity of fires, insect infestation, flooding along the river systems, and very hot and dry days.
- Affecting our fish and wildlife, which is affecting our traditions. Rapid change impacting our lives.
- Heavy extremes across the state.
- The arctic and western regions are changing faster than any other place in the world.

- Climate change is happening faster in the arctic and in AK. Increase variability, extreme weather. Fast and quick like Typhoon Merbok, or example of slow: 3 weeks of hot hot weather caused fish die-off. Immediate disruptions like Merbok, or slow warming over time like permafrost thaw.
- How much changes in the next 100 years depends on our global choices at every level. Economies → restorative or extractive? Policy → greenhouse gases.
- At the village level we have a traditional trade, but have become much more reliant.
- Uncertainty: We can't predict all the effects on plants, animals, places, and people. Wisest course of action: keep adaptation options open - preserve habitat for key cultural species.
- Can be uncomfortable to talk about what could happen - culturally people don't like to talk about the future in case of bringing it on themselves.
- IPCC Sixth Assessment, Chapter 14 North America. "Responsibility-based thinking". Climate change differs substantially among and within regions driven by ongoing patterns of inequity such as colonialism.
- What has been our experience as indigenous people with the land? Indigenous people have been colonized throughout the world. Used to have intact land. Map of ecosystems matches maps of languages. Now the current land ownership in Alaska leaves us with a fragmented state.
- Holistic framing - local to global change. Experiencing issues at the local, regional, river system, state level. Native people in AK are operating all of these levels. State-wide action with AFN, ANTHC. International with Arctic Council, arctic issues. Local systems - village corp, regional corp, municipal.

Northern Climate Reports Reflection

Look at climate reports for each community with printed reports. "What stood out to you about these reports?"

- Interested in the impact the climate is having on the berries. From fall to winter, more low pressure and more storms. Couldn't find predictions about wind in the reports.
- Not making sense. There is not a "depth of snow." indicator. Precipitation in the winter months is measured in inches to be compared with spring/summer/fall, but that is not a useful metric. Want to know if they will see the kind of snow they had in the past.
- No ice thickness for the Yukon River.
- Prediction of hot temperatures. "70 degrees is too hot here in Alaska, plus/minus 15 degrees - 85 degrees is pretty much unbearable." Carl Cleveland
- NCR is tool that is available, but is it presented in an accessible way? If you're doing a hazard mitigation plan or something and you need the data to back up your local observations/knowledge, these reports are downloadable and freely accessible to be put in your grant applications.

Bundle of Rights

Presented by Larry Lau

The western system does not look at the world, land, and life in the holistic, native way. The western system divides the earth into two pieces. One piece is called property. The other is called property rights.

- Several different kinds of property: timber, minerals, oil/gas, water (surface and ground), sand/gravel/rock/clay. Geothermal energy is not included, but could be. The western system divides the world into these pieces, and they may all have different owners.
- There are gaps between these caused by the Clean Air/Water Acts. Each one is governed by separate laws, regulations, and court cases. Native people looking at the land don't see it split into these categories.
- 2 separate property rights that apply to each type of property:
    - Right of access, which controls the use of this property. Whoever owns the property controls access and use of it.
    - Development property right. This is the key property right in the western system.
- Western system is based on going places in the world where the resource-base is rich and developing it. The whole purpose of this system is to make money. Western system thinks everything is about control.
- The system is set up to make as much money as possible from the land, so if you're the land owner and you're not doing that, then western system thinks you shouldn't have that land. Being a land owner is a constant 24/7 battle.
- The "bundle of rights." Some people have land with timber, or oil/gas, some without. The bundle of rights is different depending on the land. But the rights of access and development are always there.
- Ownership means control. Control means: responsibility, liability, and opportunity. With ANCSA, the corporation would be the model for transferring land to the native community. The corporation is the business/social/political model.
- The system is about accumulation - not sharing. You never have enough. Always want more, all about taking.
- The Western system sets up winners/losers. Politics, finances, education. Sets up competition, aggression. If you're a winner, you get to go on to the next round of competition. Society advances the farthest the fastest by the winners setting up the examples for the rest of society. That's how western society advances through aggressive competition instead of sharing, cooperation.
- Who would know about land ownership? Land planners from city and corp. Most regions don't have land planners in the cities (but YK Delta does).
- When native allotments were given, the oil/gas right from the bundle of rights was kept by the government.

Evaluations and Facilitator Debrief

Participant Feedback Form Summary

Participants (n=16) provided feedback evaluation for several aspects of the training. The feedback and suggestions are summarized below.

How participants learned about Land and Climate Work Session

Participants learned about the Land and Climate Work Session in a variety of ways.

- The majority (25%) of participants learned about the work session through outreach from the Native American Fish and Wildlife Society (NAFWS),
- 19% of participants learned about the work session through Alaska Village Council Presidents (AVCP),
- 18% of participants learned about the work session through their Village Corporation,
- 18% of participants noted they learned about work session simply through "email,"
- 12% of participants learned about the work session through EPA/IGAP
- 12% of participants learned about the work session through their Tribal Administrator or Tribal Leadership, and
- 12% of participants learned about the work session through word of mouth with 12% of participants learning about the work session multiple ways.

Participant self-assessed learning.

- All participants felt the workshop increased their understanding of contemporary land use planning context, either *a lot* (n=9) or *quite a bit* (n=7).
- 88% of participants felt that the workshop increased their understanding of strategies and planning tips used by communities to address climate change at least quite a bit.
- 88% of participants felt that the workshop increased their understanding of examples of climate change issues facing Alaska at least quite a bit.
- 80% of participants felt that the workshop increased their understanding of the traditional land use decision making process at least quite a bit.

Most Useful Activity/Content

The three sessions viewed as the most useful (as indicated by the most top 3 votes) were the Land Laws Timeline and Legal History, Case Studies, and any discussion on Site Assessment and Control.

- The Land Laws Timeline and Legal History as presented by Kevin Illingworth received the most top 3 votes (n=6), and respondents appreciated knowing what has happened in the past as a key piece of knowing how to move forward.

- Respondents noted that the Case Studies were key examples of how to convey and show others what communities are facing. Respondents appreciated visual examples of the speed at which impacts are happening.
- Site Assessment and Site Control discussion and documents were seen as key pieces of understanding the process and the ability to make practical steps in decision making. These pieces were discussed in a variety of ways, so it's unclear if this refers to one specific activity or rather a larger area of content.

Interest in Receiving More Training

While this question initially asked, "How interested would you be in receiving more training on a variety of facilitation methods (ex. ToPs)?", the majority of respondents seemed to respond to how interested they would be in receiving more training on land & climate more generally, rather than facilitation methods specifically. Regardless, all respondents answered affirmatively that they would be interested in more training.

A number of respondents elaborated on their interests in learning more, including;

- Any changes in the climate could start damage to ppl's homes, I will be interested in learning more how our region is changing
- I would like to know more about land owners acquiring land and go more in-depth with the process
- With a partnership with other department
- I'd like to receive more training
- More agenda involved like the Tribes, city and the village corp.
- I still need more of an understanding of the TOP training because I am just touching the surface
- I would be very interested in attending more trainings. I'm interested in learning more about the land.
- HMP - more on this info., attendee grouping, group discussions
- Perhaps in the future, would like to learn more about ANCSA first
- Very, we need to keep doing our work on climate change

Informing Next Steps

In relation to how the training may have informed next steps for the community, respondents touched on how the training helped them conceptualize the process of land planning (n = 5) and included a variety of mentions for how communities are involving entities to work together (n = 4).

- Anyone who lives in their communities know how their community is being impacted. Listening/learning how Quin. and Newtok are handling their situation. Next step will be first-step for most villages.
- I am a new land planner for our corporation. Before this I have not ever seen an alliance or cooperation with all our entities. This could be a good way to step forward for the goodness of All entities (if they are willing).

- A lot of what I learned here I haven't put a lot of thought into and didn't really learn about these things. How I can look around my community and recognize some of this stuff
- With lot of feedback from instructors
- It was helpful
- Got to gather all the village agencies and being informed in all!
- Learning who is to step up and start the process of what we need to do to protect our land
- Gives insight on next steps we need to take. Re-organize the Village Corp. to deal with lands and re-location
- Getting an overview of what's been happening within the community for over 40+ years, especially when my community was hit by Merbok we had a whole lot to do because we are facing major erosion and fast!
- I learned that there is a process when you want to do something in your community that has to do with climate. I got information on what to do with land and how to obtain land.
- I work with AVCP Tribal member GAPS and this type of training to concentrate GAPS, slowing info would possibly bring more active, proactive, community driven plans.
- Not at this time
- It informed me to think ahead to do what needs to be done before anything happens to our land
- Very environ settle everyone
- Helps as we are in process of relocating, facing erosion
- Very good and I learned of our necessary to organize and learn more of information necessary

Improving Training in the Future

In responding to how the training could be improved, respondents answered that they would enjoy more trainings of a similar nature. Some key suggestions included thumb drives would include all of the documents, involving more villages, inviting native allotment experts and engineers, including more case studies, dedicating more organization and time on the ToPs method, and individualizing attention for certain people involved. People expressed appreciation for how interactive the work session was throughout the day.