



**FOR IMMEDIATE RELEASE**

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### **State announces proposed agreement on Klutina Lake Road and Historic Gulkana Village site**

July 17, 2017 ANCHORAGE—The State of Alaska announced today that it is seeking public comment on a proposed settlement with Ahtna, Inc. regarding public access along Klutina Lake Road and to the Gulkana River near the Historic Gulkana Village. The public will have several opportunities to provide written or oral comments before the August 30 deadline.

“This agreement is a good-faith effort to balance private ownership and public access needs,” said Attorney General Lindemuth. “While every settlement involves give and take, both sides were able to address the issues most important to them in this proposed settlement, including maintaining reasonable public access, and avoid the uncertainty of a long trial and likely appeal. The state will go to court when it makes sense, but we believe a settlement in this case provides a better opportunity to protect access to state lands and waters.”

The proposed settlement would end litigation between Ahtna and the State of Alaska regarding property interests and use of Klutina Lake Road. It would also resolve long-standing impacts to the Gulkana historic cemetery and townsite—while maintaining public access to fishing areas and outdoor recreation. In 1943, prior to Statehood, the Federal Government bisected what was a thriving village on the Gulkana River in order to realign the highway and build a new bridge. Families were forced without warning to resettle across the Gulkana River and the historic village cemetery has experienced decades of grave desecration.

“[During my visit to Gulkana last year](#), traditional Chief Fred Ewan told me he would like his village to regain ownership of his people’s ancestral land and burial sites,” Governor Bill Walker said. “I listened. The state has been locked in costly litigation for too long. I applaud Attorney General Jahna Lindemuth and Ahtna for coming to an agreement that protects public access to land while finally correcting this 50-year wrong.”

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Some settlement terms Ahtna and the State have agreed to:

- Relocation of public parking and other facilities at the Gulkana River boat launch to protect historic townsite and cemetery
- A 100-foot-wide state highway right-of-way along Klutina Lake Road
- Fishing, daytime parking, and boating access (without a trailer) from the Klutina Lake Road right-of-way
- Three locations along Klutina Lake Road where the public can launch boats using trailers
- Camping and overnight parking opportunities provided by Ahtna for a reasonable fee outside of the Klutina Lake Road right-of-way, including at Boys' Camp
- A new 50-foot-wide state right-of-way to connect Klutina Lake Road to state land on Klutina Lake that has excellent potential for public recreation and hunting

### **Background:**

There have been longstanding disputes between the State and Ahtna, Inc. regarding Klutina Lake Road. The current lawsuit originated in 2008 when Ahtna sued the State alleging actions by the State along the unpaved road constituted a trespass. The State counterclaimed asserting the existence of a public right-of-way under federal Revised Statute 2477. Both parties agreed there is an existing public road, but they disagreed on the width, scope of use and the State's property interests in the road. The parties attempted to settle the lawsuit unsuccessfully under the prior administration.

In 2016, Judge Andrew Guidi issued an order contrary to the State's position, stating that the uses of any R.S. 2477 right-of-way were restricted to ingress and egress only, but the question of whether an R.S. 2477 even existed was put off until trial. In January of this year, the parties again began settlement discussions through a mediator. After initially failing to come to agreement with the mediator, the parties continued discussions and agreed upon a settlement framework that included the "must haves" for the State (a 100-foot-wide right-of-way and ensuring the public's ability to continue using the road to access outdoor activities) and for Ahtna (minimizing impacts to its private property rights and enabling Ahtna to better manage its lands and resources).

### **Public Comment**

The parties worked for the past five months to settle on the details of a proposed agreement. Copies of the proposed settlement agreement, maps, Judge Guidi's order, the initial settlement framework (Klutina Lake Road – Framework) and a question-and-answer sheet can be found at [www.gov.alaska.gov/klutina-gulkana-settlement](http://www.gov.alaska.gov/klutina-gulkana-settlement). Copies of the material can be obtained from Department of Natural Resources in Suite 1260 of the Atwood Building, 550 W. 7<sup>th</sup> Ave., in Anchorage, or the Fairbanks Public Information Center at 3700 Airport Way.

Public meetings will be held in:

- **Gulkana** – Tuesday, August 1, 2017, from 3 P.M. to 5 P.M. at the Gulkana Hall, Gulkana, AK (traveling north on Richardson Highway, turn right at the sign for the village after the Gulkana River bridge)
- **Glennallen** - Tuesday, August 1 from 6:30 – 8:30 p.m. at the Alaska Bible College-Murdock Campus Center at 200 College Road

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- **Anchorage** - Wednesday, August 2 from 6 – 8 p.m. in Room 104 of the Atwood Building, 550 West 7<sup>th</sup> Avenue
- **Wasilla** - Thursday, August 3 from 6 – 8 p.m. in Meeting Room 1-3, Curtis D. Menard Memorial Sports Center, at 1001 S. Clapp Street
- **Fairbanks** - Monday, August 7, 2017, from 6 – 8 p.m. in the Noel Wien Library auditorium, located at 1215 Cowles Street

Each meeting will consist of an informational session where details of the proposed settlement will be explained, followed by an opportunity for the public to provide comments. Written comments are encouraged and can be sent to [klutina.settlement@alaska.gov](mailto:klutina.settlement@alaska.gov) or mailed to Department of Law, c/o Natural Resources Section – Klutina/Gulkana Comments, 1031 W. 4<sup>th</sup> Ave., Suite 200, Anchorage, AK 99501-1994. Written comments must be received by August 30.

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