

# An Interview with the Former Federal Co-Chairman of the Alaska Land Use Council

*By J. P. Tangen, Esq.*

The Alaska Land Use Council was established by Title XII of ANILCA in 1980. For the first two years of its existence it flourished as a forum for reasoned decision-making concerning federal land within the State. Thereafter it foundered and finally, when up for reauthorization, was allowed to die. In the following interview, former Deputy Under Secretary of the Department of the Interior, Vern Wiggins, discusses a little of the history of the Council, its successes, its failures, and whether it is time to try the idea again.

**AMA Journal:** First, Vern, please give us a little information about your background and role in the creation of the Alaska Land Use Council.

**Wiggins:** I have a BA degree in Political Science and Public Administration. I came to Alaska in 1967 and worked as Director of Planning for the Greater Anchorage Borough, the Municipality of Anchorage's predecessor. Following that, I worked for a civil engineering firm in Anchorage for several years. I was one of the founding members of the Citizens for Management of Alaska Lands, Inc. (CMAL) which led the fight in Alaska and DC against the Carter Administration's efforts to lock up all of the public lands in Alaska. After ANILCA was signed in 1980, I applied to the Reagan White House for the position of Federal Co-Chairman of the Alaska Land Use Council. I was nominated to the position by President Reagan in mid-1981 and confirmed by Congress in December 1981. I served

in that capacity until 1989 when I accepted the position as Deputy Under Secretary for Alaska issues in the Department of the Interior. I left Interior in January 1992 when Clinton was sworn in as President.

**AMA:** The Alaska Land Use Council was a statutory outgrowth of the Alaska Land Use Planning Commission. Can you describe the organization a little and tell us what it accomplished.

**Wiggins:** The Land Use Council was composed of two senior officials as Co-Chairmen; by statute, the Governor was the State Co-Chairman, and a person appointed by the President served as Federal Co-Chairman. Other members were: the State Commissioners of Fish and Game, Natural Resources, Environmental Conservation, and Department of Transportation (DOT), and the Federal Regional Directors of the National Park Service, Fish and Wildlife Service, Forest Service, BLM, NOAA and the Federal DOT. Two representatives of the Alaska Native Peoples were also members of the Council. This composition was designed to support a forum to bring together all the players in managing the natural resources, wildlife and public lands in Alaska, plus representatives of the Native corporations which owned 44 million acres. The mission was to seek harmonious implementation of ANILCA by reducing the harmful rhetoric and conflict, which had characterized the relationship between the federal and state land and

wildlife management agencies prior to statehood. A major goal of the Council was to recognize and protect Alaska's historical use of the land, be it sport hunting, subsistence hunting and fishing, mountain climbing, wilderness hiking, mining, timber harvest, or just "enjoying" the outdoors.

**AMAJ:** What were the distinguishing characteristics of the Land Use Council, and what was its primary mission?

**Wiggins:** The Council was distinguished from previous similar efforts because it brought to the same table the Governor, a Presidentially appointed individual who had access to the various Federal Secretaries in Washington, the Native interests and the actual managers (State and Federal) of the public lands and natural resources in the state. For the first time in history, the State had an opportunity to directly influence federal land and resource management planning in Alaska. And the State had the assurance that its interests were to be given primary consideration in settling disputes. In every case where the state and federal interests clashed, absent a clear federal statutory mandate to the contrary, the Federal Co-Chairman was directed to give Alaska's interests priority.

**AMAJ:** Can you share with us a few of the more significant success stories which emerged from the Council during your tenure as Federal Co-Chairman?

**Wiggins:** During the first two years of the Council's existence the Council worked well. Governor Hammond's personal participation in the Council's activities and his willingness to work with the Federal Co-Chairman in resolving issues set the tone. Governor Hammond's prior history of having

worked in the federal wildlife protection field gave him a unique perspective as the State's leader. A single issue, however, that of federal oil and gas leasing in outer Bristol Bay, remained a point of conflict. Governor Hammond, while remaining inalterably opposed to the prospect of leasing in Bristol Bay, and the Cochairman worked hard to not let that dispute taint other Council activities. In those early days, the Council set in place a mechanism for the State to have input into the planning activities of the federal agencies as they developed required land and resource management plans for the Parks, Refuges and BLM lands.

**AMAJ:** What problems did the Council encounter during the Reagan years?

**Wiggins:** There were numerous problems throughout the Council's existence. They became more and more contentious as time wore on. The ultimate breakdown came, however, when Governor Sheffield, enraged that the Interior Department would not accede to his demands on Bristol Bay, stopped coming to Council meetings. This signaled a return to the days when federal and state managers locked heads over every issue. Frankly, not much got done in that environment. Governor Cowper continued in this posture. Partisan politics became the motivating force and the Council's effectiveness was lost. Another problem that arose was the National Park Service's unwillingness to compromise with any other land or resource management agency on any issue, even on those which it had the statutory discretion to mold a management decision to fit unique situations. The Service "went

by the book" as it were. This produced a frequent air of tension and occasionally outright clashes, some of which were never resolved.

**AMAJ:** As you know, Alaska is under assault by the federal government again, and land use issues ranging from restrictive land use plans in the Chugach National Forest, to the risk of having ANWR named as an additional National Monument, to the creation of up to a dozen World Heritage Sites and Biosphere Reserves in Alaska. The idea is being surfaced to breathe new life into the Council. If that were to happen, what successes could be hoped for in the future?

**Wiggins:** A "new council" might have some potential to work. Of prime importance is that the Federal Co-Chairman must be sufficiently high up in the federal organization that the federal agencies understand that the Federal chair is speaking for that administration and is acting to implement the President's policies. Also, the Governor, not a designee or surrogate, has to take an active, personal and visible part in the Council's activities. While partisan politics in the Council's activities is undesirable, one must understand that Alaska is not going to win any such fights when it comes to its land and natural resources programs, so long as there is a Democratic President and Secretaries of the Interior and Agriculture aligned with and committed to granting the every wish of the national environmental organizations, whose mission in life is to lock up every last acre of land in Alaska. As the Native

Regional Corporations broaden their activities on their lands, and as those activities affect neighboring federal and state lands, having the Native community represented on a new council and equally committed to cooperation would seem to be essential.

**AMAJ:** What warnings could you give us on how to proceed for the benefit of the resource development community in Alaska.

**Wiggins:** One word of warning: Alaskans need to understand that there are those forces at work in Washington that would just as soon see the Alaska Statehood legislation torn up and burned, thus moving the State government aside so those interests can achieve their ultimate goal; on the one hand, adding as much Alaska acreage as possible to the National Wilderness classification, and on the other hand, leasing every acre possible to oil and gas and hard rock mineral extraction along with timber harvesting to add income to the federal coffers. Alaskans need to settle the subsistence issue among themselves. Left unresolved, federal takeover of subsistence will encroach more and more deeply into the daily management of activities of land in Alaska. The Alaska Native community must commit to participate in a new council. Finally, Alaska must litigate in federal courts against the federal government over the so-called "no more" clause in ANILCA. The current administration is obviously ignoring it and Congress seems unable to hold the Clinton administration in check.