

MEMORANDUM

CITY/BOROUGH OF JUNEAU

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TO: Mary Becker, Chair Assembly Lands Committee

FROM: Greg Chaney, Lands and Resources Manager

DATE: October 19, 2017

SUBJECT: Historical Synopsis



The City and Borough of Juneau owns 52 acres along the north shore of Auke Bay on the peninsula known as Indian Point or *X'unáxi*. This property is composed of three lots that occupy approximately 2/3 of the point.



DRAFT HISTORICAL SYNOPSIS of INDIAN POINT

Prehistorical Setting

According to oral history provided by A'ak'w Kwa'an elder Phillip Joseph in the 1960's, the A'ak'w people first established a village along the beach at Indian Cove adjacent to Indian Point. The village location was chosen in part because the rocky shoreline along Indian Point was the center of a large herring spawn. This spawning activity attracted other wildlife such as salmon, sea birds and marine mammals. This made Indian Point an excellent subsistence location. In part to avoid disturbing the herring spawn, the village was relocated to the beach along Auke Rec and the new village was named *Aanchgaltsoow* (the village that moved).

The herring spawn was so significant that people came from Klukwan and Taku Kwa'an to share in the bounty. Indian Point was used for a variety of traditional activities and Native graves have been documented in the region.

Mining Era

From the time the first European explorers came to Southeast Alaska until the 1880's the A'ak'w people lived a traditional subsistence lifestyle supplemented by trading. The end of the 1800's brought tremendous changes to the A'ak'w Kwa'an homeland with the establishment of some of the largest gold mining complexes in the world. As the A'ak'w people transitioned to a cash economy, they moved to the mine sites for employment and no longer lived full time at the traditional *Aanchgaltsoow* village site although they continued to use the location for gardening and subsistence especially during herring spawning time.

When the Tongass National Forest was created by presidential proclamation in 1907, the Federal government did not recognize the A'ak'w Kwa'an's seasonal occupation along the north shore of Auke Bay as significant, and the area became Federal property.

With few exceptions, Alaskan Natives at this point in history were not afforded citizenship and therefore were unable to vote, own land, utilize the homestead act or file mining claims. Therefore, early attempts by A'ak'w people to claim this region were unsuccessful. Alaska Natives became US citizens upon adoption by Congress of the Citizenship Act of 1924.

1959 National Park Service Withdrawal of Lot 1

In 1959 the National Park service proposed to withdraw 23 acres of land on west side of Indian Point to build a headquarters for Glacier Bay National Monument. The Alaska Native Brotherhood (ANB) and Alaska Native Sisterhood (ANS) organizations lodged a formal protest against the proposal and wrote a letter stating that they had claimed this

area for generations, had been used for subsistence activities historically and that the area was currently be used for subsistence. The land transfer was approved with the following provision:

This order shall not be construed to affect or impair any rights or privileges the natives of the area may have to the use and enjoyment of their established campsite on the south shore of Herring (Indian) Cove in their customary manner.

There was no provision for exclusive use of the larger tract as requested in the ANB/ANS letter. Buildings were built for Park Service use and by 1972 a dock had been added for Park Service use.

1968 Selection of a Portion of Indian Point by the Greater Juneau Borough

In 1968 the Juneau Borough was granted title to Lots 3 and 4 encompassing 24 acres of the southern portion of Indian Point.

1969 Proposed Rezoning of Indian Point For Recreation

Indian Point was zoned for residential development and in 1969 an ordinance to rezone Indian Point exclusively for recreational uses was adopted.

1971 Alaska Native Claims Settlement Act (ANCSA)

There appeared to have been an opportunity for the Native Community to have claimed the area in the 1970's as a component of the Alaska Native Claims Settlement Act however two factors resulted in this area not being selected:

1. Lots 3 and 4 had already been transferred to the Borough in 1968. Since these were municipal lands, they were not eligible for consideration under the ANLCA land selection process. In addition, these lots were not involved in the Point Stevens NOAA land trade.
2. Lot 2 was briefly considered during the ANILCA land selection program however there was a strong preference for qualifying cultural sites to include physical evidence of occupation. Since there was a strong desire for selected areas to be approved, properties selected for cultural reasons were prioritized for selection based on clear evidence of occupation. The survey of Indian Point did not turn up any clear evidence of house pits, middens etc. so even though there was strong oral history evidence that the site was culturally important, the site was not forwarded as a 14(1) selection.

1980 - Herring Spawn Collapse

As a result of aggressive commercial herring fishing, herring stopped spawning at Indian Point by 1980. Although not specifically tied to land ownership, herring were a foundational species for the ecosystem in this area. When the herring spawn was lost, Indian Point became less attractive for subsistence activities. Consistent traditional use of this area for subsistence activities by the A'ak'w Kwa'an faded as well.

1987 Rezoning

In 1987 a new structure for zoning was adopted within the City & Borough of Juneau. The new system did not have a *recreational* classification and Indian Point along with the neighboring area was rezoned to D3(T)D5 for residential development.

1996 Recreational Park Designation

In 1996 the City property encompassed by Lots 3 and 4 were included in the newly adopted Juneau Parks and Recreation Plan. These lots were designated for natural open space recreation.

1996 Proposed NOAA Research Facility, Lot 2

In September 1996, NOAA/NMFS released the draft Environmental Impact Statement for a proposed NOAA/NMFS Consolidated facility at Indian Point. Representatives from the A'ak'w Kwa'an, Tlingit & Haida Central Council and SEALASKA Corporation expressed strong opposition to the proposal.

A complex 3 way land trade was executed. The result of this land trade was that the City and Borough gained title to Lot 2 which included 28 acres of the northeast portion of Indian Point. This increased the City ownership to 2/3rds of Indian Point for a total of 52 acres. This area was placed in Natural Area Park land management status.

NOAA received the site of an active rock quarry at Lena Point which became the site of the Ted Stevens Research Facility. Red Samm Inc. which operated the quarry was given access to another source of rock which became the Stabler Rock Quarry and \$4 million dollars from the CBJ.

Currently Adopted Plans

2013 CBJ Comprehensive Plan

The **2013 Comprehensive Plan** recommends for Subarea 3, in Guideline and Consideration 13 that the area be developed as a cultural park. This directive is also included in Chapter 8 of the **Parks and Recreation Comprehensive Plan**.

2015 Auke Bay Area Plan

An extensive neighborhood plan was undertaken by the CBJ Planning Department for the Auke Bay region was adopted by Ordinance 2015-13. Chapter 3 of this plan is largely dedicated to A'ak'w Kwa'an's cultural use of Auke Bay.

The newly adopted **Auke Bay Area Plan** contains several references to Indian Point. Among the Goals and Policies are:

Goal 2 Preserve and protect Auke Bay's history.

Policies

2.1 Preserve Indian Point through rezones, easements, or other preservation methods with limit activities allowed on the site, and amend the CBJ Parks and Recreation Comprehensive Plan to further limit activity at Indian Point.

2016 Land Management Plan

In the Land Management Plan these properties were designated LND-0203 and LND-0205 and "...should be managed and protected to in manner that is sensitive to the cultural heritage of the A'ak'w Kwa'an people." These parcels are being managed by the Parks and Recreation Department as a natural area park.

Alaska Tidelands Survey 239 (LND-0204) is a 4.7 acre tideland parcel in this region that is also owned by CBJ but is being managed by Dock and Harbors and is currently leased to the National Park Service.

Overland access to the property is via an access easement through Lot 1 which is currently owned by the National Park Service.

The 2016 Land Management Plan contains the following provision for LND-0203 and LND-0205:

This parcel should be managed and protected in a manner that is sensitive to the cultural heritage of the A'ak'w Kwa'an people.

August 2016 National Register of Historic Places

The Indian Point region was recently recognized by being listed on the “National Register of Historic Places”. This designation is an honorific title and does not pose any restrictions on the property. However, if Federal funds are used for any purpose on the site, then development would have to comply with the provisions of the *National Historic Preservation Act*.

Acknowledgement:

The majority of the information about prehistory and cultural values contained in this memo was obtained from the report; “*Traditional Cultural Property Investigation for Auke Cape, Alaska*” by Thomas Thornton, August 15, 1997. This document was foundational for the listing of Indian Point on the “National Register of Historic Places”. This report cannot yet be distributed because it contains sensitive information about archeological sites. The Lands Division is currently reaching out to the author, Thomas Thornton, for permission to provide copies of a version of the report with sensitive information removed.

Attachments:

Aerial image of Indian Point with CBJ upland parcels and access easement highlighted (shown at beginning of memo)

US Survey No. 3811

1968 State of Alaska Patent, to the Greater Juneau Borough for Lots 3 and 4

Ordinance 85-76am “*An Ordinance Preserving Certain Municipal Land For The Juneau Open Space and Park System*”

1996 NOAA Facility Plan for Indian Point

1998 CBJ Ordinances 97-17(AH) and 97-17(AX)

2001 US Department of Interior Patent to the City and Borough of Juneau for Lot 2

2001 US Department of Interior Patent to the City and Borough of Juneau for road easement.

June 17, 2016 Marie Olson and Bob Sam Letter to Mayor

July 11, 2016 Letter from Mayor to Marie Olson and Bob Sam

August 7, 2017 Goldbelt Heritage Foundation Letter, Funding Chart, Project History

August 15, 2017 Goldbelt Heritage Foundation Letter to Mayor

September 1, 2017 Randy Wanamaker Letter to Mayor and Assembly

October 10, 2017 Gretchen Bishop Letter October 17, 2017 Rosa

Miller Letter

October 17, 2017 Tom Chapple E-mail

October 17, 2017 Richard Beasley E-mail

October 18, 2017 Dr. Steven and Colleen Torrence Letter to Lands

Committee October 19, 2017 Jeanie and M. Scott Macaulay E-mail