



## Background on Municipality of Anchorage Government-to-Government Relations with the Sovereign Native Village of Eklutna August 18, 2022

On January 14, 2021, the Anchorage Assembly approved an ordinance to establish government-to-government relations between the Municipality of Anchorage and the Sovereign Native Village of Eklutna by amending Anchorage Municipal Code which became effective immediately. Joint meetings are part of AO 2020-137(S) establishing Government-to-Government relations between the Municipality of Anchorage and the Sovereign Native Village of Eklutna.

- View Anchorage Municipal Code (AMC) 1.70 regarding [Acknowledgement and Recognition](#)
- View the ordinance that created the government-to-government relations: [AO 2020-137\(S\), As Amended](#)

The two entities held their first joint meeting on May 27, 2021 and hold joint meetings twice a year. The meetings are open to all members of the Assembly and the Native Village of Eklutna Tribal Council, as well as tribal council members and the general public. Meetings can be attended in person or viewed on the Assembly's YouTube channel.

### Timeline of Establishment of Government-to-Government Relations

- In 2019, the municipality passed AR 2019-426 to initiate conversations to formalize a government-to-government relationship with the Native Village of Eklutna
- The basis for the decision to pursue a formal relationship came because the Assembly recognized that while the Native Village of Eklutna is federally recognized as a sovereign Tribe, the Municipality of Anchorage did not have a corresponding local Government-to-Government relationship.
- The municipality endeavored to establish permanent and formal, clear and lasting government-to-government relations with the hope that establishing protocols for Government-to-Government relationships may result in better outcomes over time for the Municipality of Anchorage and the Native Village of Eklutna.
- In 2020, the municipality and Native Village of Eklutna engaged in dialogue and deliberations toward a more formal relationship between the two governments
- As a result of that process, AO 2020-137(S), As Amended was passed in January 2021 and made changes to the Anchorage Municipal Code in several places to establish the government-to-government relationship with the Native Village of Eklutna and streamline processes around that relationship – *see the supporting code in AO 2020-137(S) for details.*

### **Native Village of Eklutna Governance Structure**

The Eklutna Native Village government office was organized in 1961 by the traditional people of Eklutna Village in order to be recognized for protecting land rights. By then, the 326,000 acre Eklutna Reservation had been reduced over the years to a mere 1,819 acres. The tribe became federally recognized and is recorded under IRS code 83.87, section 7871, the Indian Tribal Governmental Tax Status Act of 1982.

While the Eklutna people existed and governed themselves long before discovery, today, the Native Village of Eklutna operates under a constitution with the governing powers entrusted to the Tribal Council. While similar to the United States, the branches of government are semi-separate, and individuals wear many hats. The government is comprised of a seven-member legislative body called the Tribal Council, a five-member judicial body called the Rule Keepers, an executive body made up of the Council President, Vice President, Secretary and Treasurer, an administrative body led by a Tribal Administrator to oversee day-to-day operations, and a nine-member Gaming Authority. The Tribal Council President, often called "First Chief," is the primary contact for leader to leader communications with governments and outside organizations

The Native Village of Eklutna administration includes departments for economic development, education and employment, family support, health and wellness, history and culture, housing and community, land/environment and tribal enrollment.

See <http://eklutna-nsn.gov/about/> for more information.

### **Municipality of Anchorage Governance Structure**

The Municipality of Anchorage is made up of an administrative branch (the mayor) and legislative (the assembly) branch and each has responsibilities outlined in the Anchorage Municipal Code pertaining to government-to-government relations with the Native Village of Eklutna. The mayor or his/her designee shall be the point of contact between the municipality and the Native Village of Eklutna. The chair of the assembly or an assembly member designated by the chair shall be the point of contact between the assembly and the Native Village of Eklutna. The Native Village of Eklutna designee shall have direct access to the mayor and assembly chair on issues related to the Native Village.

### **Eklutna, Inc.**

The Native Village of Eklutna is a separate entity from Eklutna, Inc., which is one of approximately 175 village corporations incorporated in 1972 under the Alaska Native Claims Settlement Act (ANCSA). Eklutna, Inc. is bound by the Alaska Corporations Code and the provisions of ANCSA. Eklutna, Inc. owns 90,000 acres within the Municipality of Anchorage (MOA), including areas of Eagle River, Birchwood, Chugiak, Peters Creek and Eklutna. Additionally, the Corporation has significant holdings in the Matanuska-Susitna Borough, with approximately 67,000 additional acres due to be conveyed from the Bureau of Land

Management. As a land developer, Eklutna, Inc. owns some of the last remaining prime commercial, industrial and residential real estate within the MOA. Today, the Corporation represents more than 170 shareholders and manages a variety of investments, including commercial properties and residential developments.

<https://www.eklutnainc.com/>

### **Eklutna Native Culture**

The Dena'ina are an early indigenous population of the Knik Arm area. Anchorage lies within Dena'ina Elnena (Dena'ina Country) and is home to the K'enaht'ana, the indigenous people of Nuti (Knik Arm), who today are members of the Eklutna (Eydlughet) and Knik (K'enakatnu) tribes. At present, however, public representation of Dena'ina history and culture is almost nonexistent in Anchorage.

Historically, the Dena'ina people were very peaceful and lived off the land. The Dena'ina fished, hunted and gathered wild plants in and around the lands between the Chugach and Talkeetna Mountains in Upper Cook Inlet, long before Anchorage was founded.

In the late 1700s, Russian settlers arrived in the Cook Inlet region and traded furs with the Dena'ina, built churches at Knik and Eklutna, and established the legacy of the Russian Orthodox religion. Miners and traders soon arrived in the area and seized most of the Dena'ina lands north of the Knik Arm. In 1915, the U.S. government decided to build the Alaska railroad directly through Dena'ina land, resulting in an influx of people that "founded" Anchorage as a city. The sudden increase in population introduced an influenza epidemic that wiped out nearly 90 percent of the Dena'ina people.

The Dena'ina that did survive watched as their traditional homeland was slowly engulfed and expropriated by an ever-increasing number of newcomers to the state. Between the "founding" of Anchorage as city in 1920, two military installations built during World War II, private development, State Road and Rail right of ways, and the tapping of water from Eklutna Lake to satisfy the growing demand for drinking water and hydro electrical generation. Later, Eklutna Lake was included, as part of the third largest state park in the United States and Eklutna people were no longer allowed to practice traditional subsistence activities in this culturally significant area.

On December 18, 1971, President Richard Nixon signed into law the Alaska Native Claims Settlement Act (ANCSA) that allowed Alaska Natives to retain 44 million acres of land and a cash settlement. This act created 13 Regional Corporations and approximately 175 village corporations. Eklutna, Inc. was formed on October 17, 1972 as one of the village corporations. In the ensuing years, Eklutna, Inc. has executed several different strategies to find a balance to maximize its position as the largest private landholder within the Municipality for its

shareholders while still working hard to retain its Dena'ina identity. In June 2006, Mayor Mark Begich and the Anchorage Assembly announced that the Dena'ina people and their heritage were going to obtain the recognition that they deserve. Anchorage has built a \$120 million convention center that is respectfully named "The Dena'ina Convention Center," which will educate residents and visitors alike about the rich history we all share with the original people of the Anchorage area.

### **Anchorage Municipal Code Relating to Government-to-Government Relations between the Municipality of Anchorage and the Native Village of Eklutna**

See AO 2020-137(S), As Amended for full details.

- **1.70.010 - Land acknowledgment.** The municipality acknowledges that the Municipality of Anchorage lies within the traditional lands of the Dena'ina Athabascans. For more than a thousand years the Dena'ina have been and continue to be the stewards of this land. It is with gratitude and respect that we recognize the contributions, innovations, and contemporary perspectives of the Upper Cook Inlet Dena'ina. ( AO No. 2020-137(S) , § 1, 1-14-21)
- **1.70.020 - Recognition of Sovereign Tribes.** The Municipality of Anchorage recognizes the 229 federally recognized Tribes of Alaska and specifically, the Native Village of Eklutna, as the only federally recognized Tribe within the Municipality of Anchorage's boundaries. (AO No. 2020-137(S) , § 1, 1-14-21)
- **1.70.030 - Commitment to government-to-government relations.** The Municipality of Anchorage is committed to clear and lasting government-to-government relations with the Native Village of Eklutna. ( AO No. 2020-137(S) , § 1, 1-14-21)
- **2.30.055 - Conduct of public hearing.** Part B adds representatives of the Village of Eklutna the groups that are provided five minutes of time for public testimony as opposed to the three minutes that are allotted for individuals. "...The time limit for a designated representative of the Village of Eklutna is five minutes."
- **2.30.135 – Joint conferences.** Part B: The assembly and the Native Village of Eklutna shall meet [at least] two times yearly in public session to discuss and coordinate matters of mutual concern, and when mutually agreed after a request by either government to address matters of immediate concern.
- **3.105 – GOVERNMENT-TO-GOVERNMENT RELATIONS WITH THE NATIVE VILLAGE OF EKLUTNA.**  
**3.105.010 – Policy required.**

A. The Municipality, in close coordination with the Native Village of Eklutna, shall develop and implement a written policy that:

1. Identifies individuals in the municipality who are responsible for developing and implementing municipal programs and projects that affect the Native Village of Eklutna;
2. Establishes a process to identify programs and projects of the municipality that affect the Native Village of Eklutna;
3. Promotes communication between the municipality and the Native Village of Eklutna;
4. Promotes clear and lasting government-to-government relations between the municipality and the Native Village of Eklutna;
5. Establishes a method for notifying municipal employees of this chapter and of any policy that the municipality adopts under this section

**3.105.015 – Points of contact.** The mayor or his/her designee shall be the point of contact between the municipality and the Native Village of Eklutna. The designee shall have direct access to the mayor on issues related to the Native Village. The chair of the assembly shall be the point of contact between the assembly and the Native Village of Eklutna.

*Note:* AO 2022-61, As Amended, passed on May 10, 2022 updates this section of the code to the following: The mayor or his/her designee shall be the point of contact between the municipality and the Native Village of Eklutna. The chair of the assembly or an assembly member designated by the chair shall be the point of contact between the assembly and the Native Village of Eklutna. The Native Village of Eklutna designee shall have direct access to the mayor and assembly chair on issues related to the Native Village.

**3.105.020 – Regular training required.** At least once a year, the Municipal Office of Equity and Justice, in consultation with the Native Village of Eklutna and other tribal leaders and tribal organizations as appropriate, shall provide training to municipal employees on the history and legal status of Tribes [tribes] within Alaska and the municipality, and on issues of concern to Tribes [tribes].

**3.105.025 – Report to the assembly.** Once a year the mayor shall prepare a report for the assembly which shall include copies of the policy prepared under AMC 3.105.010; a summary of efforts undertaken to promote communication between the municipality and the Native Village of Eklutna; a description of the training required by AMC 3.105.015; and the method by which the municipality has notified employees of this chapter and policies adopted under AMC 3.105.010.