

96 H.R.3651

Title: A bill to provide for the designation and conservation of certain public lands in the State of Alaska, including the designation of units of the National Park, National Wildlife Refuge, National Forest, National Wild and Scenic Rivers, and National Wilderness Preservation Systems, and for other purposes. **Sponsor:** Rep Udall, Morris K. [AZ-2] (introduced 4/23/1979) Cosponsors (131) **Related Bills:** H.R.39 **Latest Major Action:** 4/23/1979 Referred to House committee. Status: Referred to House Committee on Merchant Marine and Fisheries.

SUMMARY AS OF: 4/23/1979--Introduced.

Alaska National Interest Lands Conservation Act of 1979 - **Title I: Findings, Policy, and Definitions** - Declares it the purpose of this Act to preserve for the benefit of present and future generations certain lands in the State of Alaska in order to: (1) preserve unrivaled scenic, geologic, and wildlife values; (2) perpetuate significant and diverse ecosystems; (3) protect and preserve cultural values of Native and non-Native people; (4) provide recreation; (5) maintain wilderness resource values; (6) preserve rivers; (7) maintain opportunities for research; and (8) utilize natural resources, consistent with sound ecological principles. Provides that: (1) intangible values should be considered on an equal basis with tangible values; (2) the management policies should cause the least adverse impact possible to people who depend on subsistence uses of resources; and (3) the interests of the State of Alaska and the Native Corporations shall be continually considered in carrying out provisions of this Act to maintain a viable economy and provide employment for citizens of Alaska.

Title II: National Park System - Designates as units of the National Park System: (1) Bering Land Bridge National Monument; (2) Cape Krusenstern National Monument; (3) Gates of the Arctic National Monument; (4) Kenai Fjords National Monument; (5) Kobuk Valley National Monument; (6) Lake Clark National Monument; (7) Yukon-Charley National Monument; and (8) Katmai National Monument.

Expands and redesignates: (1) Aniakchak National Monument by the addition of 160,000 acres of public lands to be redesignated as Aniakchak National Park and National Preserve; (2) Mount McKinley National Park by the addition of Denali National Monument to be redesignated as Denali National Park and National Preserve; (3) Glacier Bay National Monument by the addition of 40,000 acres of public lands to be redesignated as Glacier Bay National Park; (4) Noatak National Monument by the addition of 660,000 acres of public lands to be redesignated as Noatak National Preserve; and (5) Wrangell-Saint Elias National Monument by the addition of 1,230,000 acres of public lands to be redesignated as Wrangell-Saint Elias National Park and Preserve.

Establishes as units of the National Park System: (1) Aniakchak National Preserve; and (2) Lake Clark National Preserve.

Directs the Secretary of the Interior to administer lands, waters, and interests of all National Park System units in accordance with applicable laws and this Act. Incorporates the redesignated national monuments specified in

this Act as part of the appropriate national park. Makes available for the appropriate national park any funds which were available for the corresponding monument. Subjects the portion of the Alaska Railroad right-of-way within Denali National Park to laws and regulations applicable to fish and wildlife protection. Permits the continuation of reindeer grazing within Bering Land Bridge National Park.

Prohibits the Secretary, generally, from acting to restrict unreasonably the exercise of valid commercial fishing rights or privileges obtained pursuant to State or Federal law, within respect to the Malaspina Glacier area of Wrangell-Saint Elias National Park and the Dry Bay area of Glacier Bay National Park. Requires the Secretary to recognize and convey valid Native selections or nominations of land within boundaries of the Wrangell-Saint Elias National Park and Preserve in accordance with the Alaska Native Claims Settlement Act. Prohibits the charging of fees for admission to any unit of the National Park System located in Alaska.

Title III: National Wildlife Refuge System - Redesignates Becharof National Monument as Becharof National Wildlife Refuge and Yukon Flats National Monument as Yukon Flats National Wildlife Refuge.

Designates as units of the National Wildlife Refuge System: (1) Alaska Maritime National Wildlife Refuge; (2) Alaska Peninsula National Wildlife Refuge; (3) Innoko National Wildlife Refuge; (4) Kanuti National Wildlife Refuge; (5) Koyukuk National Wildlife Refuge; (6) Nowitna National Wildlife Refuge; (7) Selawik National Wildlife Refuge; (8) Teshekpuk National Wildlife Refuge; (9) Tetlin National Wildlife Refuge; and (10) Utukok National Wildlife Refuge.

Expands the following units of the National Wildlife Refuge System: (1) Arctic National Wildlife Range; (2) Cape Newenham National Wildlife Refuge; (3) Clarence Rhode National Wildlife Range and Hazen Bay National Wildlife Refuge; (4) Kenai National Moose Range; and (5) Kodiak National Wildlife Refuge.

Declares that all Executive orders and other administrative actions which were in effect before the date of enactment of this Act will remain in force, except to the extent that they are inconsistent with this Act or the Alaska Native Claims Settlement Act. Makes available for the purposes of any conservation units established under this Act all funds that were previously available. Directs the Secretary of the Interior to administer each wildlife refuge subject to valid existing rights and in accordance with applicable law and this Act. Prohibits the Secretary from permitting uses or granting easements in the above-designated refuges which are not compatible with the purposes of the refuge.

Withdraws, subject to valid existing rights, all public lands in each refuge from all forms of appropriation under the mining laws and from operation of the mineral leasing laws. Authorizes the Secretary to permit oil and gas development under a leasing program.

Directs that the area of the Iliamna watershed be managed for the primary purposes of watershed protection and fish production. Prohibits the Secretary from conveying any lands in such area to the State of Alaska, unless the State devises a plan for the protection of management of the watershed and fishery resources of such area. Provides that nothing in this title shall limit the Secretary's responsibility with respect to the exploration of oil reserves under the Naval Petroleum Reserves Production Act of 1976. Prohibits the Secretary from acting to restrict unreasonably the exercise of valid commercial fishing rights or privileges obtained pursuant to State or Federal law with respect to designed or redesignated units of the National Wildlife Refuge System.

Directs the Secretary to undertake to enter into cooperative management agreements with Native Corporations, the State, or persons owning land within the refuge. States that land subject to the agreement shall be managed by the owner in a manner compatible with the major purposes of the refuge, and in a manner which will not diminish opportunities for subsistence uses in the refuge. Sets forth terms and conditions for such agreements.

States that the Congress finds that barren-ground caribou are a migratory species deserving special protection and that the Western Arctic and Porcupine herds of such caribou are of national and international significance. Directs the Secretary to conduct a study of the barren-ground caribou herds north of the Yukon and Tanna Rivers, and, acting through the Secretary of State, to initiate negotiations with the Government of Canada in order to enter into a treaty to protect the Porcupine caribou herd and its habitat.

Title IV: National Forest System - Expands as units of the National Forest System the Tongass National Forest and the Chugach National Forest. Directs that such lands as are added to the Tongass and Chugach National Forests shall be administered by the Secretary of Agriculture in accordance with the provisions of this Act and the laws applicable to the National Forest System.

Directs the Secretary of Agriculture to modify any existing national forest timber sale contracts applying to lands designated by this Act as wilderness by substituting other national forest lands of corresponding quality, quantity, and access, to the extent practicable.

Authorizes the Secretary of Agriculture to acquire timber rights to those lands selected for the village of Angoon under the Alaska Native Claims Settlement Act by purchase or exchange for timber rights elsewhere within the Tongass National Forest.

Allows, at the election of the shareholders of Kootznoowoo, Inc., the conveyance of timber rights to lands selected by the corporation to the Secretary of Agriculture, and within one year after such a conveyance the conveyance to Kootznoowoo, Inc. of timber rights which are of equal value to those conveyed to the Secretary.

Directs the Secretary of Agriculture to designate alternative lands, of equal or greater timber value, for the benefit of Shee Atika, Inc., in satisfaction of the

rights of the Natives of Sitka as provided by the Alaska Native Claims Settlement Act. Specifies that such lands shall be located in southeast Alaska other than Admiralty Island. Sets forth procedures for conveyance of surface and subsurface rights, and the release of such rights.

Directs the Secretary to convey specified lands to: (1) Goldbelt, Inc., representing the Natives of Juneau with respect to their land entitlements under the Alaska Natives Claims Settlement Act; and (2) S.E. Alaska, Inc. Exempts such conveyances from the requirements of the National Environmental Policy Act of 1969.

Directs the Secretary of the Interior to reimburse Shee Atika, Inc., Goldbelt, Inc., and Kootznoowoo, Inc. for reasonable and necessary land selection costs.

Specifies that permits issued by the Forest Service, before the enactment of this Act, for a dwelling or campsite in the Admiralty Island National Monument, Misty Fjords National Monument, or any wilderness area, shall expire not later than ten years after the enactment of this Act. Provides a limited exception to such permit expiration for Thayer Lake Lodge. Directs the Secretary of Agriculture to permit the taking of fish and wildlife in national forest wilderness areas designated by this Act.

Designates Admiralty Island National Monument and Misty Fjords National Monument as conservation system units.

Directs the Secretary of Agriculture to issue regulations with respect to mining activities on national forest lands in Alaska in order to protect water quality in such areas.

Amends the Alaska Native Claims Settlement Act to prohibit any land conveyed to a Native Corporation pursuant to this Act, which is within a contingency area designated in a U.S. timber sale contract, from being subject to such contract or to entry or timbering by the contractor. Prohibits a timber contractor from entering or cutting timber from land in a contingency area that has been withdrawn or selected by a Native Corporation until such Corporation has received all conveyances.

Directs the Secretary of Agriculture to improve timber production from high quality timber growing sites in the Tongass National Forest through a program of precommercial thinning.

Directs the Secretary of Agriculture to establish an insured or guaranteed loan program for purchasers of national forest materials in Alaska to assist such purchasers in the acquisition of equipment to use wood products which might not otherwise be utilized.

Directs the Secretary of Agriculture to carry out a study and report to Congress to identify opportunities to increase timber yields on national forest lands in Alaska, and to reduce inefficient timber uses or waste of national forest produced fiber.

Title V: National Wild and Scenic Rivers System - Amends the Wild and Scenic Rivers Act by adding to the Wild and Scenic Rivers System the

following rivers (or segments thereof) which are outside the boundaries of other conservation system units: Birch Creek, Colville, Copper, Delta, Etivluk-Nigu, Fortymile, Gulkana, Alagnak, Killik, Nowitna, Selawik, Unalakleet, and Yukon (Ramparts section). Adds to the system the following rivers (or segments thereof) which form the boundary of, or are within, any national preserves in Alaska: Aniakchak and Charley (including their major tributaries), Chilikadrotna, Chitina, Mulchatna, Noatak, Stony, and Telaquana. Adds to the system portions of the following rivers which form the boundary of, or are within, any national wildlife refuge in Alaska: Nowitna, Colville, Porcupine, Beaver Creek, Sheenjek, Andreafsky, Selawik, Ivishak, Kanektok, Kisaralik, Squirrel, and Utukok. Requires that detailed boundaries and development plans be established for specified rivers within one to three years of the date of enactment of this Act.

Designates the following rivers to be studied for possible inclusion in the system: Ikpikpuk, Koyuk, Kuskokwim, Melozitna, Mulchatna, Nelchina-Tazlina, Nuyakuk, Situk, and Susitna. Sets forth requirement for the completion of such studies.

Authorizes the Secretary to seek cooperative agreement with the owners of non-Federal lands adjoining rivers which are newly designated units of the Wild and Scenic Rivers System. Permits the Secretary to establish a river protection zone extending two miles from the banks of such rivers.

Withdraws the minerals in Federal lands within the boundaries of such rivers and within each such river protection zone from all forms of appropriation under the United States mining laws.

Authorizes the Secretary to permit the use of snowmobiles for customary purposes by local residents and by authorized subsistence users, if such use was occurring on or before January 1, 1979.

Authorizes the Secretary to grant permits to oil and gas pipelines to cross areas designated as wild, scenic, or recreational river areas in Alaska, if the Secretary determines that no feasible alternative route exists.

Title VI: National Wilderness Preservation System - Designates as units of the National Wilderness Preservation System certain lands in: (1) Aniakchak National Park and Preserve; (2) Bering Land Bridge National Preserve; (3) Denali National Park and Preserve; (4) Gates of the Arctic National Park; (5) Glacier Bay National Park; (6) Katmai National Park; (7) Kenai Fjords National Park; (8) Kobuk Valley National Park; (9) Lake Clark National Park and Preserve; (10) Noatak National Preserve; (11) Wrangell-Saint Elias National Park and National Preserve; and (12) Yukon-Charley National Preserve.

Designates as wilderness areas within the National Wilderness Reservation System certain lands in: (1) Alaska Maritime National Wildlife Refuge; (2) Arctic National Wildlife Range; (3) Becharof National Wildlife Refuge; (4) Innoko National Wildlife Refuge; (5) Izembek National Wildlife Range; (6) Kanuti National Wildlife Refuge; (7) Kenai National Wildlife Range; (8) Koyukuk National Wildlife Refuge; (9) Nowitna National Wildlife Refuge; (10)

Nunivak National Wildlife Refuge; (11) Sulawik National Wildlife Refuge; (12) Tetlin National Wildlife Refuge; (13) Togiak National Wildlife Range; (14) Yukon Delta National Wildlife Refuge; and (15) Afognak Island.

Designates as wilderness areas within the National Forest System certain lands in Chugach National Forest and Tongass National Forest.

Directs the Secretary of Agriculture to study the feasibility of designating Prince William Sound, Chugach National Forest as a wilderness area and to report his findings to the President and the Congress within three years.

Authorizes the Secretary of Agriculture to permit fishery research, management, enhancement, and rehabilitation activities within national forest wilderness areas in Alaska. Directs the Secretary of Agriculture to implement a cooperative planning process for the enhancement of fisheries resources in the Chugach and Tongass National Forests.

Provides for the maintenance of existing public use cabins located in national forest wilderness areas and the construction of a limited number of new cabins for the protection of the public health and safety.

Directs the Secretary to review nondesignated wilderness areas and to report to the President and the Congress on the feasibility of designating such areas as wilderness areas.

Title VII: Subsistence - Declares that the first priority consumptive use of public land resources under this Act shall be the taking of fish and other renewable resources for nonwasteful subsistence uses by local rural residents. Stipulates that restrictions on the taking of populations of fish and wildlife on such lands for subsistence uses in order to protect the continued viability of such populations, or to continue such uses, shall be based on: (1) customary and direct dependence upon the populations as the mainstay of livelihood; (2) local residency; and (3) the availability of alternative resources.

Authorizes the States to regulate the taking of fish and wildlife on public lands for subsistence uses in a manner consistent with the policies and requirements of this Act.

Directs the Secretary, if the State fails to exercise its authority to regulate subsistence uses, to establish: (1) at least seven Alaska subsistence resource regions which, taken together, include all public lands; (2) such local advisory committees within each region, as necessary, based upon a finding that the existing State fish and game advisory committees do not adequately assist in the preparation of the reports required of the regional councils; and (3) a regional advisory council in each subsistence region, to be composed of residents of the affected region. Sets forth the duties of such regional councils in regard to subsistence uses of fish and wildlife within the regions, including the preparation of annual reports to the Secretary. Requires that such reports contain identifications, evaluations and recommended strategies for the management of fish and wildlife populations within the regions, as well as recommendations concerning policies, standards, guidelines, and regulations to implement such strategies. Directs the Secretary to follow the

advice of such councils unless he determines in writing that such advice is not supported by substantial evidence, violates recognized principles of fish and wildlife conservation, or would be detrimental to the satisfaction of subsistence needs.

Directs the Secretary to monitor State regulation of the subsistence preference granted under this title and to advise the States and Congress of his findings and recommendations. Directs the local and regional advisory councils established by this title to notify the Secretary if any such council determines that the State has not adequately provided for a system of subsistence preference in the region or locality which such council represents. Directs the Secretary to review the determinations of any council and advise the State of his findings.

Directs the Secretary to close public areas to all consumptive uses except subsistence uses by local residents if he determines that the States has failed to comply with directives from the Secretary regarding improvements in the subsistence preference program and that such failure endangers the fish or wildlife population in an area or the ability of rural residents to satisfy their subsistence needs. Sets forth procedures for hearing and appeal by the State. Gives the Secretary emergency authority to close any public land to subsistence uses if necessary for public safety, administration, or to insure the natural stability and continued productivity of one or more fish or wildlife populations.

Authorizes the Secretary to enter into cooperative agreements or to otherwise cooperate with other Federal agencies, the State of Alaska, Native Corporations, and other appropriate persons and organizations, (including, through coordination with the Secretary of State, other nations) in order to protect subsistence resources and uses.

Prohibits Federal agencies from withdrawal, reservation, lease, permit, or other use, occupancy or disposition of lands within their jurisdiction if the effect would be to significantly restrict the subsistence uses unless the head of the agency: (1) gives notice to the appropriate State agency, local committees and regional councils; (2) gives notice of, and holds, a hearing in the vicinity of the area involved; and (3) makes specific determinations regarding the purpose and the effect of the restriction.

Directs the Secretary to insure the access to subsistence resources on public lands to persons engaged in subsistence uses. Directs the Secretary, acting through the United States Fish and Wildlife Service and National Park Service to undertake research on fish and wildlife resources and subsistence activities on the public lands.

Title VIII: Administrative and Miscellaneous Provisions - Authorizes the Secretary to acquire by purchase, donation, or exchange any lands within the boundaries of any conservation system unit. Stipulates that land owned by the State, a political subdivision, or a Native Corporation may only be acquired with their consent. Sets forth administrative provisions relating to such acquisitions. Allows the Secretary to permit on conservation system

units the use of snow machines, motorboats, airplanes, and nonmotorized transportation methods, subject to reasonable regulation.

Authorizes the Secretary to acquire up to 7,500 acres of archaeological or paleontological sites outside of the Cape Krusenstern National Park, Bering Land Bridge National Park, Kobuk Valley National Park, and the Yukon-Charley Rivers National Park. Requires the Secretary, prior to acquiring any such property in excess of 100 acres, to submit notice of the proposed acquisition to the appropriate committees of the Congress, and publish notice of such proposed acquisition in the Federal Register.

Directs the Secretary to provide advice, assistance, and technical expertise to an applying Native Corporation or Native Group for the purpose of preserving cultural resources, without regard to whether title to such resources is in the United States.

Authorizes the Secretary to investigate and plan for an information and education center for visitors to Alaska, on no more than 1,000 acres of land adjacent to the Alaska Highway. Authorizes the Secretary to investigate and plan for such centers in Anchorage and Fairbanks, and authorizes the Secretary of Agriculture to investigate and plan for centers in Juneau, Ketchikan, or Sitka.

Authorizes the Secretary to establish administrative sites and visitor facilities within the conservation units, if compatible, or outside the units. Directs the Secretary to locate such sites and facilities on Native lands where practicable and desirable. Sets forth the authorities of the Secretary in regard to establishing such sites and facilities.

Directs the Secretary, under reasonable terms, to permit a person who on or before January 1, 1979, was adequately providing any type of visitor service to a conservation system unit, to continue providing the services if they are consistent with the purposes of the unit. Requires that the Secretary, in selecting persons to provide visitor services, give preference to Native Corporations most directly affected by the conservation system unit, and local residents.

Directs the Secretary to establish a local-hire program, under which the Secretary will consider for selection qualified local residents to positions in any of the conservation system units, without regard to civil service regulations which require minimum periods of formal training or experience, other preference provisions, or numerical limitations on personnel. Requires the Secretary to submit annual reports and recommendations to Congress on such program.

Requires the Secretary to prepare detailed management plans for national park and wildlife refuge units and submit them to Congress within five years of the date of enactment of this Act. Sets forth requirements for such plans, factors which must be considered, public hearings requirements, and requirements for reports to the appropriate committees of Congress.

Closes all areas of the National Park System in Alaska to the taking of fish and wildlife, except for authorized subsistence use, fishing, and sport hunting

as the Secretary may permit within national preserves. Stipulates that other conservation units will be subject to applicable Federal and State law with respect to the taking of fish and wildlife.

Authorizes the issuance of permits to certain sport hunting guide services and nonsubsistence trappers to continue the taking of wildlife in connection with their business for a period not to exceed ten years from the enactment of this Act, if the Secretary determines that a termination of such privilege would result in serious economic hardship for such individuals.

Requires that the boundary maps described in this Act shall be on file and available for public inspection in the office of the Secretary of the Interior and Secretary of Agriculture. Specifies that in the event of discrepancies between the acreages stated in this Act and those depicted on such maps, the maps shall be controlling. Prohibits the boundaries of areas added to the national systems to extend beyond the mean high tide line to include lands owned by the State unless the State concurs.

Directs that a map and legal description of each change in land management status effected by this Act be published in the Federal Register and filed with the Speaker of the House of Representatives and the President of the Senate, and that each such description shall have the same force as if included in this Act. Directs that the Secretary shall make each such map and description available for public inspection.

Authorizes the Secretary of the Interior and the Secretary of Agriculture to make minor adjustments in the boundaries or areas added to or established by this Act, as appropriate, following reasonable notice in writing to Congress.

Permits reasonable access to and operation and maintenance of existing air and navigation aids and facilities for weather, climate, and fisheries research and monitoring in accordance with applicable law.

Authorizes reasonable access to and operation and maintenance of, existing facilities for national defense purposes, notwithstanding any other provision of this Act. Permits the establishment of new facilities for national defense purposes within any conservation unit after consultation with the Secretary of the Interior and the Secretary of Agriculture by the head of the applicable Federal department, in accordance with terms and conditions as may be mutually agreed in order to minimize the adverse effects within such unit.

Amends the Act to authorize the Secretary of the Interior to establish the Klondike Gold Rush National Historical Park to provide that lands owned by the State or any political subdivision may be acquired by exchange or donation and that the State may include minerals in any such transaction.

Withdraws all public lands within a specified area near the Denali National Park from all forms of entry or appropriation under the mining laws and from operation of mineral leasing laws of the United States, for the purpose of establishing Denali Scenic Highway. Directs the Secretary to study the desirability of establishing a Denali Scenic Highway and within three years after the date of enactment to report to the President, who shall advise the

President of the Senate and the Speaker of the House of Representatives of any legislation to create such a scenic highway (if so recommended).

Withdraws all public lands within the conservation system units in Alaska, subject to valid existing rights, from the mining and mineral leasing laws of the United States. Directs any holder of a valid existing mineral claim or lease to exercise their rights in accordance with regulations promulgated by the Secretary to assure such activities are compatible with the conservation unit. Denies valid lease status to certain noncompetitive oil and gas leases. Allows any holder of a mining claim who feels he has suffered loss to bring an action against the United States in the U.S. District Court for Alaska.

Directs the Secretary to assess the oil, gas, and other mineral potential on all public lands in the State of Alaska in order to expand the data base with respect to mineral potential of such lands.

Authorizes the appropriation of such sums as may be necessary to carry out the provisions of this Act for fiscal years beginning after fiscal year 1979.

Title IX: Implementation of Alaska Native Claims Settlement Act and Alaska Statehood Act - Amends the Alaska Native Claims Settlement Act to cancel all stock issued previous to December 18, 1991, and to issue shares of appropriate class stock to each shareholder. Makes further provisions for permissible restrictions on stockholders; amendments to the articles of incorporation; and stock alienation, annual audits, and transfer of stock ownership.

Allows the Secretary, upon the request of a Village Corporation, to waive the requirement that a Corporation select land in whole sections (and that natural features are to be used as boundaries) where such waiver is justified and appears to be beneficial.

Provides for the selection of land by Regional Corporations where the public lands consist only of a mineral estate.

Makes provisions for the conveyance of real property by a Village Corporation to a shareholder of such Corporation to provide homesites and for the reconveyance of less than 1,280 acres by a Village Corporation to a Municipal Corporation or the State in trust.

Places restrictions on the conveyance to Regional Corporations of lands which are located in a wildlife refuge. Permits a Regional Corporation which is precluded from receiving title to protected lands to file a claim to certain other lands designated by the Secretary for such purpose.

Provides that the 20 year moratorium on the payment of State and local real property taxes on land conveyed pursuant to the Alaska Native Claims Settlement Act shall begin with the vesting of title in such lands. Provides that the moratorium shall not apply to land which is leased or developed for purposes other than exploration.

States that fire protection of Native land provided by the Department of the Interior shall cover wildland.

Provides for the selection of additional lands by a Village Corporation which has not fulfilled its entitlement under the Alaska Native Claims Settlement Act.

Withdraws from further entry all lands located in patented townsites or which are the subject of an application for patent. Provides for the conveyance of unoccupied townsite lands. Requires the Secretary to act on any pending townsite entry and to issue patent, if appropriate, to the townsite trustee.

Approves Alaska Native allotment applications which were pending before the Department of the Interior on December 18, 1971, and which describe land that was unreserved on December 13, 1968, except when provided otherwise by the applicable provisions of this Act. Makes exceptions to such approval for: (1) allotment applications describing land within the boundaries of a National Park system unit established before or by this Act and the described land not withdrawn; (2) allotment applications describing land patented or deeded to the State of Alaska, or land selected by, or tentatively approved or confirmed to the State of Alaska and not withdrawn; (3) allotment applications where a Native Corporation files a protest stating the applicant is not entitled and the land is withdrawn for selection by the Corporation; (4) allotment applications where the State of Alaska files a protest stating the land in the allotment application is necessary for access to public lands; (5) allotment applications where a person or entity files a protest and the land is a situs of an improvement by that person or entity; and (6) an allotment application that was pending before the Department of the Interior on December 18, 1971, which was knowingly and voluntarily relinquished by the applicant. Sets forth procedures for the Secretary to adjust descriptions of lands in allotment applications to eliminate conflicts. Allows the allotment applicant to amend the land description in the allotment if such description describes land that the applicant did not intend to claim. Directs the Secretary to notify the State and all interested parties of such intended correction and gives parties an opportunity to file a protest.

Deems vacant, unappropriated and unreserved land described in an allotment application pending before the Department of the Interior on December 18, 1971, which was at such time withdrawn, reserved, or classified for powersite or power-project purposes unless the described land is included as part of a project under the Federal Power Act or is presently utilized for purposes of transmitting or generating electrical power. Reserves such land to be allotted subject to a right of reentry for a specified 20-year period.

Directs the Secretary to identify and adjudicate any record entry or application for title made under an Act other than the Alaska Native Claims Settlement Act, the Alaska Statehood Act, or the Act of May 17, 1906, prior to issuing a certificate for an allotment subject to this Act. Directs the Secretary to determine whether such entry or application represents a valid existing right. Disallows the affecting of existing rights acquired by actual use of the described lands prior to its withdrawal or classification.

Requires that payments under such Act shall be deposited into the Alaska Native Fund on the first day of the fiscal year for which the monies are appropriated, and shall be distributed at the end of the first quarter of the fiscal year.

Directs the Secretary to pay by grant to certified Native Group Corporations an amount not more than \$100,000 or less than \$50,000 for planning, development, or other authorized purposes.

Provides for a two year statute of limitation for the filing of any appeal from a decision of the Secretary under this title or under the Alaska Native Claims Settlement Act.

Conveys to a Village Corporation found eligible by the Secretary of Interior, the surface estate to public land in its "core" township or townships (towns or townships in which the Native Villages are located). Stipulates that where two or more corporations have claim to the same township, the conveyance is delayed until an arbitration decision or other binding agreement between or among the Corporations is filed with and published by the Secretary.

Conveys to a Village Corporation found eligible by the Secretary, the surface estate to certain lands in the "core" township.

Conveys the surface and subsurface estate in the former Indian Reserve to certain village Corporations. Excludes the Village Corporation for the Native Village of Klukwan from such conveyances.

Conveys the subsurface estate in "core" townships conveyed to Village Corporations, to Regional Corporations to the extent they would otherwise have obtained such subsurface estate pursuant to the Alaska Native Claims Settlement Act. Sets forth requirements with respect to the granting of easements on such lands.

Provides for the relinquishment of all claims by the United States to submerged lands under a nonnavigable meanderable stream or a lake having a surface area of 160 acres or more which is adjacent to land which is conveyed to a Native Corporation pursuant to the Alaska Native Claims Settlement Act of this Act. Provides that such submerged lands shall not be charged toward the acreage entitlement of any Native Corporation. Retains in Federal ownership submerged lands within the boundaries of any conservation system unit.

Lists specified lands of: (1) Nana/Cook Inlet Regional Corporation, the Ahtna Regional Corporation, and the Bering Straits Regional Corporation to be withdrawn for selection, and (2) the Doyon Regional Corporation to be exchanged for lands relinquished. Requires the Hodzana River area to be managed as a study area by the Fish and Wildlife Service in cooperation with Doyon, Limited. Lists lands, previously selected by Doyon, Limited which such corporation may identify in partial satisfaction of its entitlement under such Act.

Provides for the settlement of certain claims and litigation to implement such Act under the unique circumstances of the Native Village of Eklutna.

Directs the Secretary to convey the surface and subsurface estates of specified lands on Afognak Island to Koniag, Incorporated.

Directs the Secretary to negotiate with specified Native Corporations for boundaries and prices of certain areas of the Pribilof Islands group to be included in the Alaska Maritime National Wildlife Refuge.

Authorizes the Secretary to accept from Arctic Slope Regional Corporation a relinquishment of all right, title, and interest of such Corporation in specified Alaskan lands.

Directs the Secretary to make specified conveyances of land pursuant to the Cook Inlet Village Settlement.

Grants final approval to all tentative approvals of the State of Alaska land selections pursuant to the Alaska Statehood Act. Vests title in all such lands in the State as of the date of tentative approval.

Directs the Secretary to convey public lands selected by the Chugach Regional Corporation from certain lands within the Chugach National Forest. Directs the Secretary to study the land ownership and use patterns in the Chugach region in cooperation with the Secretary of Agriculture, the Alaska Advisory Coordinating Council, Chugach Natives, Inc., and the State of Alaska (if the State chooses to participate).

Title X: Transportation and Utility Systems - Declares that applications for rights-of-way in conservation system units in Alaska shall be made only as provided by this title. Provides that transportation and utility systems subject to this title are: (1) water transportation systems; (2) pipelines and other systems for the transportation of their liquids and gases, including oil, natural gas, synthetic liquid and gaseous fuels, and any refined produce produced from such sources; (3) pipeline, slurry and emulsion systems, and conveyor belts for transportation of solid materials; (4) systems for the transmission and distribution of electric energy; (5) systems for the transmission of radio, television, telephone, telegraph, and other electronic signals, and other means of communication; (6) improved rights-of-way for snow machines, air cushion vehicles, and other all-terrain vehicles; and (7) roads, highways, railroads, tunnels, tramways, airports, and other systems of transportation.

Directs the Secretaries of the Interior and Agriculture, in consultation with other appropriate Federal agencies, to prepare and publish a consolidated application form to be used for applying for a right-of-way for a transportation or utility system subject to this title. Requires any Federal agency which receives an application for a right-of-way to notify the applicant within 60 days of the receipt of the application that such application is either complete or that more information is required. Sets forth filing requirements for environmental impact statements required to be filed with an application for a right-of-way.

Requires the heads of Federal agencies to coordinate their procedures for processing applications for rights-of-way for transportation or utility systems which require the approval of more than one agency.

Sets forth procedures for the consideration, processing, and approval of applications for rights-of-way. Requires the Secretary to submit his recommendation for the approval or disapproval of an application to Congress. Provides that such application shall be deemed approved only upon enactment of a joint resolution by the Senate and the House of Representatives.

Title XI: Federal-State Coordination - Establishes the Alaska Advisory Coordinating Council, cochaired by the Secretary of the Interior and the Governor of Alaska and composed of the Alaska field directors of the Federal land managing and planning agencies; the Commissioners of the Alaska Departments of Natural Resources, Fish and Game, and Environmental Conservation; and representatives from a Village Corporation and a Regional Corporation.

Requires that all Council meetings be open to the public, with at least 15 days prior notice in the Federal Register and in newspapers of general circulation in Alaska.

Directs the Council to conduct studies and advise the Secretary, other Federal agencies, the State, and Native Corporations regarding land and resource uses in Alaska, including natural resource management, economic development, and other land administration programs.

Authorizes the Council to recommend cooperative planning and management zones where the management of lands or resources of one member materially affects another. Authorizes Federal members of the Council to enter into cooperative agreements with Federal agencies, with State and local agencies, and with Native Corporations for mutual consultation, review, and coordination of resource management plans within such zones.

Authorizes the Secretary to provide technical and other assistance to landowners whose lands or resources are subject to a cooperative agreement, for fire control, trespass control, law enforcement, resource use, and planning. States that such assistance may be provided without reimbursement if the Secretary determines that doing so would further the purposes of the cooperative agreement and would be in the public interest.

Provides that the Council will terminate in ten years, unless extended by Congress.

Directs the Council to establish a citizens' advisory committee of land-use advisors.

Establishes the Alaska Land Bank Program to facilitate the coordinated management and protection of Federal, State, Native, and other private lands. Authorizes certain private landowners to enter into agreements with the Secretary for ten years, with five year renewal periods, concerning the management of the affected lands. Sets forth required terms of such agreements, as well as benefits to private landowners. Provides, as to Native Corporations and other persons or groups that have received or will receive lands or interests therein pursuant to the Alaska Native Claims Settlement Act on this title, immunity from adverse possession, Federal and State

taxation, and judgment in any action at law or equity to recover sums owned or penalties incurred by any Native Corporation, or any officer, director, or stockholder of any such Corporation.

Title XII: Oil and Gas Exploration, Development, and Production -

States as the purpose of this title the furtherance of exploration, development, and production, through private enterprise with appropriate environmental safeguards, of oil and gas resources on certain public lands in Alaska. Provides that this title shall apply to: (1) the National Petroleum Reserve - Alaska; (2) nonwilderness portions of all units of the wildlife refuge system in Alaska; and (3) all public lands in Alaska which are not within any conservation system unit and which are managed by the Secretary of the Interior through the Bureau of Land Management.

Provides that exploration, development, and production of oil and gas on lands to which this title applies shall be conducted pursuant to the Mineral Leasing Act of 1920 except to the extent otherwise provided by this title.

Authorizes the Secretary to issue permits for the exploration for oil and gas resources which is conducted pursuant to a plan approved by the Secretary. Requires the holder of any permit issued by the Secretary to disclose to the Secretary any information obtained as a result of any exploration activities. Requires the Secretary to maintain the confidentiality of such information until the permittee acquires a lease for the lands on which the permit data was acquired or at such time as the data ceases to hold proprietary value, but in no case longer than ten years. Directs the Secretary to study such information and to consult with the Secretary of Energy regarding the national interest involved in exploring for and developing oil and gas from lands subject to this title. Directs the Secretary to encourage the State to undertake studies on lands associated with lands subject to this title.

Provides that leases shall be issued only by competitive bidding with respect to the following lands: (1) the National Petroleum Reserve - Alaska; (2) nonwilderness portions of all units of the wildlife refuge system in Alaska; and (3) all public lands in Alaska which are not within any conservation system unit and which are managed by the Secretary through the Bureau of Land Management and are determined by the Secretary to be within an area favorable for the occurrence of oil or gas. Requires the development and production of oil or gas on leased lands to be carried out in accordance with a development and production plan approved by the Secretary. Directs the Secretary to suspend or cancel such leases if he determines that operations under such lease pose environmental threats to the land.

Requires the Secretary to issue a permit for oil and gas exploration on public lands within six months of a request if the applicant is not required to file an environmental impact statement, or three months after the filing of such a statement if such a statement is required.

Requires the Secretary to include in reports required under the Mining and Minerals Policy Act of 1970 information with respect to oil and gas development activities under this title.

Requires the Secretary to establish a program for the consideration and issuance of exploration permits to applicants for public lands within the National Petroleum Reserve - Alaska, including public lands within the Teshekpuk and Utukok National Wildlife Refuges within 240 days after the date of the enactment of this Act. Requires the Secretary to publish a schedule of proposed lease sales covering such land and to hold the first lease sale on such lands within 18 months after the date of enactment of this Act.

Provides that exploration for, and development and production of, oil and gas on nonwilderness areas within the National Wildlife Refuge System shall be carried out according to the provisions of this title, except for lands that have been withdrawn from such use under this Act.

Directs the Secretary to establish a program for issuance of exploration permits and for lease sales of lands subject to the Bureau of Land Management.

MAJOR ACTIONS:

NONE

ALL ACTIONS:

4/23/1979:

Referred to House Committee on Interior and Insular Affairs.

4/23/1979:

Referred to House Committee on Merchant Marine and Fisheries.

5/16/1979:

Provisions inserted in H. R. 39 as passed House with amendment.

TITLE(S):

- SHORT TITLE(S) AS INTRODUCED: Alaska National Interest Lands Conservation Act of 1979
- OFFICIAL TITLE AS INTRODUCED: A bill to provide for the designation and conservation of certain public lands in the State of Alaska, including the designation of units of the National Park, National Wildlife Refuge, National Forest, National Wild and Scenic Rivers, and National Wilderness Preservation Systems, and for other purposes.

COSPONSORS(131), ALPHABETICAL [followed by Cosponsors withdrawn]:

Rep Ambro, Jerome A. [NY-3] - 1/3/1979 Rep
Anderson, John B. [IL-16] - 1/3/1979 Rep
Annunzio, Frank [IL-11] - 1/3/1979 Rep
Aspin, Les [WI-1] - 1/3/1979
Rep Atkinson, Eugene V. [PA-25] - 1/3/1979
Rep Baldus, Alvin J. [WI-3] - 1/3/1979

Rep Barnard, Doug, Jr. [GA-10] - 1/3/1979 Rep
Barnes, Michael D. [MD-8] - 1/3/1979 Rep
Beard, Edward [RI-2] - 1/3/1979
Rep Bedell, Berkley W. [IA-6] - 1/3/1979 Rep
Beilenson, Anthony C. [CA-23] - 1/3/1979 Rep
Bingham, Jonathan B. [NY-22] - 1/3/1979 Rep
Blanchard, James [MI-18] - 1/3/1979 Rep
Boland, Edward P. [MA-2] - 1/3/1979 Rep
Bonior, David E. [MI-12] - 1/3/1979
Rep Bonker, Don [WA-3] - 1/3/1979
Rep Brademas, John [IN-3] - 1/3/1979
Rep Brodhead, William [MI-17] - 1/3/1979 Rep
Brown, George E., Jr. [CA-36] - 1/3/1979 Rep
Burton, John [CA-5] - 1/3/1979
Rep Burton, Phillip [CA-6] - 1/3/1979
Rep Byron, Beverly B. [MD-6] - 1/3/1979 Rep
Carr, Bob [MI-6] - 1/3/1979
Rep Cavanaugh, John J. [NE-2] - 1/3/1979 Rep
Coelho, Anthony Lee [CA-15] - 1/3/1979 Rep
Conyers, John, Jr. [MI-1] - 1/3/1979
Rep Corrada, Baltasar [PR] - 1/3/1979
Rep Danielson, George E. [CA-30] - 1/3/1979
Rep Daschle, Thomas A. [SD-1] - 1/3/1979 Rep
Dellums, Ronald V. [CA-8] - 1/3/1979 Rep
Derrick, Butler C. [SC-3] - 1/3/1979
Rep Dixon, Julian C. [CA-28] - 1/3/1979
Rep Dodd, Christopher J. [CT-2] - 1/3/1979 Rep
Downey, Thomas J. [NY-2] - 1/3/1979 Rep
Drinan, Robert F. [MA-4] - 1/3/1979
Rep Eckhardt, Bob [TX-8] - 1/3/1979
Rep Edgar, Robert W. [PA-7] - 1/3/1979
Rep Edwards, Don [CA-10] - 1/3/1979
Rep Erdahl, Arlen [MN-1] - 1/3/1979
Rep Evans, Thomas B., Jr. [DE-98] - 1/3/1979
Rep Fascell, Dante B. [FL-15] - 1/3/1979
Rep Fazio, Vic [CA-4] - 1/3/1979
Rep Fenwick, Millicent H. [NJ-5] - 1/3/1979 Rep
Findley, Paul [IL-20] - 1/3/1979
Rep Fisher, Joesph L. [VA-10] - 1/3/1979 Rep
Florio, James J. [NJ-1] - 1/3/1979
Rep Ford, Harold E. [TN-8] - 1/3/1979
Rep Fowler, Wyche, Jr. [GA-5] - 1/3/1979 Rep
Garcia, Robert [NY-21] - 1/3/1979
Rep Gephardt, Richard A. [MO-3] - 1/3/1979
Rep Gibbons, Sam [FL-7] - 1/3/1979
Rep Gradison, Willis D., Jr. [OH-1] - 1/3/1979
Rep Gray, William H., III [PA-2] - 1/3/1979

Rep Green, S. William [NY-18] - 1/3/1979
Rep Guarini, Frank J. [NJ-14] - 1/3/1979
Rep Gudger, V. Lamar [NC-11] - 1/3/1979
Rep Hall, Tony P. [OH-3] - 1/3/1979
Rep Harkin, Tom [IA-5] - 1/3/1979
Rep Harris, Herbert E., II [VA-8] - 1/3/1979 Rep
Hawkins, Augustus F. [CA-29] - 1/3/1979 Rep
Heftel, Cecil [HI-1] - 1/3/1979
Rep Holland, Kenneth L. [SC-5] - 1/3/1979
Rep Howard, James J. [NJ-3] - 1/3/1979
Rep Ireland, Andrew P. [FL-8] - 1/3/1979
Rep Jacobs, Andrew, Jr. [IN-11] - 1/3/1979
Rep Jeffords, James M. [VT-98] - 1/3/1979
Rep Jenrette, John W., Jr. [SC-6] - 1/3/1979 Rep
Kastenmeier, Robert W. [WI-2] - 1/3/1979 Rep
Kildee, Dale E. [MI-7] - 1/3/1979
Rep Kogovsek, Ray [CO-3] - 1/3/1979
Rep Kostmayer, Peter H. [PA-8] - 1/3/1979
Rep Leach, James A. [IA-1] - 1/3/1979
Rep Lehman, William [FL-13] - 1/3/1979
Rep Long, Clarence D. [MD-2] - 1/3/1979
Rep Luken, Thomas A. [OH-2] - 1/3/1979
Rep Maguire, Andrew [NJ-7] - 1/3/1979
Rep Markey, Edward J. [MA-7] - 1/3/1979
Rep Matsui, Robert T. [CA-3] - 1/3/1979
Rep McHugh, Matthew F. [NY-27] - 1/3/1979 Rep
Mikulski, Barbara A. [MD-3] - 1/3/1979 Rep Mikva,
Abner J. [IL-10] - 1/3/1979
Rep Miller, George [CA-7] - 1/3/1979
Rep Mineta, Norman Y. [CA-13] - 1/3/1979
Rep Minish, Joseph G. [NJ-11] - 1/3/1979
Rep Mitchell, Parren J. [MD-7] - 1/3/1979
Rep Moakley, John Joseph [MA-9] - 1/3/1979 Rep
Moffett, Toby [CT-6] - 1/3/1979
Rep Moorhead, William S. [PA-14] - 1/3/1979 Rep
Mottl, Ronald M. [OH-23] - 1/3/1979
Rep Neal, Stephen L. [NC-5] - 1/3/1979
Rep Nolan, Richard M. [MN-6] - 1/3/1979
Rep Ottinger, Richard L. [NY-24] - 1/3/1979 Rep
Panetta, Leon [CA-16] - 1/3/1979
Rep Patterson, Jerry M. [CA-38] - 1/3/1979
Rep Pease, Donald J. [OH-13] - 1/3/1979
Rep Pepper, Claude [FL-14] - 1/3/1979
Rep Quillen, James H. (Jimmy) [TN-1] - 1/3/1979
Rep Rangel, Charles B. [NY-19] - 1/3/1979
Rep Ratchford, William R. [CT-5] - 1/3/1979

Rep Regula, Ralph [OH-16] - 1/3/1979
 Rep Reuss, Henry S. [WI-5] - 1/3/1979
 Rep Richmond, Frederick W. [NY-14] - 1/3/1979
 Rep Rodino, Peter W., Jr. [NJ-10] - 1/3/1979 Rep
 Roe, Robert A. [NJ-8] - 1/3/1979
 Rep Rosenthal, Benjamin S. [NY-8] - 1/3/1979
 Rep Sabo, Martin Olav [MN-5] - 1/3/1979
 Rep Sawyer, Harold S. [MI-5] - 1/3/1979
 Rep Scheuer, James H. [NY-11] - 1/3/1979 Rep
 Schroeder, Patricia [CO-1] - 1/3/1979
 Rep Seiberling, John F. [OH-14] - 1/3/1979 Rep
 Shannon, James M. [MA-5] - 1/3/1979 Rep
 Sharp, Philip R. [IN-10] - 1/3/1979
 Rep Simon, Paul [IL-24] - 1/3/1979
 Rep Solarz, Stephen J. [NY-13] - 1/3/1979 Rep
 Spellman, Gladys Noon [MD-5] - 1/3/1979 Rep
 Stack, Edward J. [FL-12] - 1/3/1979
 Rep Stark, Fortney Pete [CA-9] - 1/3/1979 Rep
 Stewart, Bennett McVey [IL-1] - 1/3/1979 Rep
 Studts, Gerry E. [MA-12] - 1/3/1979
 Rep Thompson, Frank, Jr. [NJ-4] - 1/3/1979 Rep
 Van Deerlin, Lionel [CA-42] - 1/3/1979 Rep
 Vanik, Charles A. [OH-22] - 1/3/1979
 Rep Vento, Bruce F. [MN-4] - 1/3/1979
 Rep Walgren, Doug [PA-18] - 1/3/1979
 Rep Waxman, Henry A. [CA-24] - 1/3/1979 Rep
 Weaver, James H. [OR-4] - 1/3/1979
 Rep Weiss, Ted [NY-20] - 1/3/1979
 Rep Wirth, Timothy [CO-2] - 1/3/1979
 Rep Wolff, Lester L. [NY-6] - 1/3/1979
 Rep Wolpe, Howard E. [MI-3] - 1/3/1979
 Rep Won Pat, Antonio B. [GU] - 1/3/1979

COMMITTEE(S):

Committee/Subcommittee:	Activity:
House Interior and Insular Affairs	Referral, In Committee
House Merchant Marine and Fisheries	Referral, In Committee

RELATED BILL DETAILS: (additional related bills may be indentified in Status)

Bill:	Relationship:
H.R.39	Related bill identified by CRS

AMENDMENT(S):

NONE