



RESOLUTION 13-01

TITLE: PRIOR CONTAMINATION OF LANDS CONVEYED PURSUANT TO THE ALASKA NATIVE CLAIMS SETTLEMENT ACT

WHEREAS: The ANCSA Regional Association is an association of the 12 Alaska Native Claims Settlement Act Regional Corporations, represented by each respective Regional Corporation President and CEO; and,

WHEREAS: The Alaska Native Claims Settlement Act (ANCSA) is universally recognized as a land settlement; and

WHEREAS: Pursuant to ANCSA, the federal government conveyed to many Alaska Native Corporations land that had been contaminated by the federal government or from activities allowed or overseen by the federal government prior to their conveyance under ANCSA; and

WHEREAS: During the 1990's, Congress acknowledged that contaminated lands were being conveyed to Alaska Native Corporations pursuant to ANCSA; and

WHEREAS: Section 103 of Public Law 104-42 (codified at 43 U.S.C. 1629f) required the Secretary of the Interior to provide a detailed report on contaminants on lands prior to their conveyance to Alaska Native Corporations; and

WHEREAS: In December 1998, the Department of the Interior submitted a report to Congress which estimated approximately 650 contaminated sites were on lands conveyed pursuant to ANCSA; and

WHEREAS: Alaska Native Corporations, as the landowners, are subject to liability under federal and Alaska State law for the contaminated condition of their lands; and

WHEREAS: The State of Alaska has instituted enforcement actions against Alaska Native Corporations for the cleanup of ANCSA conveyed lands which had been contaminated prior to their conveyance; and

WHEREAS: Several Alaska Native Corporations have incurred considerable expense in cleaning up contaminated sites, negotiating land exchanges and/or battling with the federal and state government to clean up sites on a case-by-case basis; and

WHEREAS: In recognition of this problem, Congressman Don Young stated, "it was clearly not the intention of ANCSA to extinguish Native claims by conveying contaminated property to recipients;"

NOW THEREFORE BE IT RESOLVED by the Board of the ANCSA Regional Association does hereby support efforts to enact federal legislation acknowledging that the federal government is responsible for the remediation of contaminated lands conveyed pursuant to ANCSA.

BE IT FURTHER RESOLVED by the Board of the ANCSA Regional Association will engage with the Alaska Congressional Delegation and Representatives of the Executive Branch of the Federal Government to achieve the goals of this resolution.

ADOPTED AND DATED THIS 10th DAY OF SEPTEMBER, 2013 BY THE ANCSA REGIONAL ASSOCIATION BOARD OF DIRECTORS.



Jason Metrokin, Chairman of the Board
9/10/13
Date

ATTEST:



Thomas Mack, Secretary
9/10/13
Date