



April 9, 2018

Representative Matt Claman  
Alaska House of Representatives  
State Capitol, Room 118  
Juneau, AK 99801  
Attn.: Lizzie Kubitz ([lizzie.kubitz@akleg.gov](mailto:lizzie.kubitz@akleg.gov))

RE: HB 367, ANCSA Land Liability Act and Proposed Amendments

Dear Representative Claman:

I am writing on behalf of Sealaska Corporation, the Alaska Native Regional Corporation formed pursuant to the Alaska Native Claims Settlement Act of 1971 (ANCSA) for the Southeast Alaska Region. We represent more than 22,000 shareholders, predominantly of Tlingit, Haida and Tsimshian descent. I am writing to you in support of your amendment to HB 367, the ANCSA Land Liability Act. Please share this letter with the House Judiciary Committee members and include it into the Record for today's hearing.

As an ANCSA Corporation, we did receive conveyance of lands "as is." In some cases, there were lands that had preexisting landfills and other potentially contaminated lands. Your amendment would make it clear that ANCSA corporations are not liable for contamination on ANCSA lands unless the state, municipality or village can prove that the ANCSA corporation was the cause of such contamination. This is similar to language recently adopted by the U.S. Congress related to the Comprehensive Environment Response Contamination and Liability Act (CERCLA). We strongly support your amendment to HB 367.

Please also note that we do not support the two other proposed amendments by Representative LeDoux or by Representative Eastman. Representative LeDoux's amendment would essentially make no one liable for contamination without proof of responsibility and would be contrary to existing state law. Representative Eastman's amendment would be moot if your amendment is adopted by the Committee and the legislature.

Thank you for the opportunity to comment on this important matter. If you have any questions, please do not hesitate to contact me at [jaeleen.kookesh@sealaska.com](mailto:jaeleen.kookesh@sealaska.com) or 907-586-9130.

Respectfully,  
SEALASKA CORPORATION

Jaeleen J. Kookesh  
VP, General Counsel & Corporate Secretary