

ALASKA NATIVE VILLAGE
CEO ASSOCIATION



Alaska Native Village CEO Association
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Resolution 2012-03

A Resolution for Remediation of Contaminated Lands Under ANCSA

WHEREAS, The Alaska Native Village CEO Association (hereinafter “ANVCA”) provides services that will improve the efficiency, profitability and stability of its members’ corporations;

WHEREAS, ANVCA advocates for policies which will benefit and protect the interests of Alaska Native Village Corporations with local, state and Federal governments; 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 several 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 Alaska Native Village CEO Association that ANVCA 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 Alaska Native Village CEO Association that ANVCA will engage with the Alaska Congressional Delegation and Representatives of the Executive Branch of the Federal Government to achieve the goals of this resolution.

PASSED, APPROVED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE BOARD OF THE ALASKA NATIVE VILLAGE CEO ASSOCIATION THIS 4 DAY OF OCTOBER 2012.



Maver Carey, Chairman of the Board

ATTEST:



Anne Thomas, Secretary