



April 9, 2018

Representative Matt Claman  
House Judiciary Committee, Chairman  
State Capitol Room 118  
Juneau, AK 99801

Dear Chairman Claman,

Please accept this correspondence as Bering Straits Native Corporation's statement of record concerning HB 367 and its associated amendments.

The issues surrounding legacy contamination on ANCSA lands have a deep history and have not yet been adequately addressed at the State level. The Alaska Congressional delegation has been considering this for years and allocation of responsibility for historic, pre-ANCSA contamination is a critical step needed to finalize land conveyances mandated by the passage of ANCSA in 1971.

The lands in the Bering Straits region have numerous legacy sites directly attributable to the military efforts beginning with WWII and extending through the Cold War years. Lands selected through ANCSA by the area's twenty village corporations and the regional corporation (BSNC) have various levels of contamination, ranging from DRO (diesel range organics) to PCPs (Polychlorinated Biphenyls), and pose various risks to humans, wildlife, and waterways.

BSNC appreciates the efforts of the State of Alaska to fairly address responsibility and to properly protect village and regional corporations from a serious liability not of their own making.

Bering Straits Native Corporation, on behalf of our over 7,000 shareholders and 17 village corporations, request the following actions:

- 1) **Approval of Amendment #1 (Chairman Claman):** This amendment would address AS 46.03.822, and would thereby relieve Alaska Native Corporations of liability, when proof that the contamination existed prior to the conveyance of the property.
- 2) **Deny the passage of Amendment #2 (Rep. LaDoux):** This amendment does not address ultimate responsibility for legacy contamination and would legislatively create a scenario where liability exceptions for contamination could be expanded to all parties, thereby making the assignation of clean-up responsibility and the financial burden for this work nearly unenforceable.





- 3) **Deny the passage of Amendment #3 (Rep. Eastman):** Like Amendment #2, this amendment does not remove the burden of proof from the Corporations, for contamination existing on lands prior to conveyance, and does not address the underlying problem with State law.

Thank you for the opportunity to comment on HB 367 and the pending amendments. If we can be of further assistance or if you have questions concerning this correspondence please contact: Matt Ganley, V.P. Media and External Affairs ([mganley@beringstraits.com](mailto:mganley@beringstraits.com)), (907)632-7197.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Schubert", written in a cursive style.

Gail R. Schubert

