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COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

U.S. HOUSE OF REPRESENTATIVES

WASHINGTON, D.C. 20515

October 17, 1977

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MEMORANDUM

TO: Members, Subcommittee on General Oversight and Alaska Lands

FROM: Don Young

RE: Alternative Proposal for D-2 Lands

Introduction

Attached is a copy of my D-2 lands proposal which I present as an alternative to H.R. 39, the Administration measure, and Seiberling draft. A summary of this proposal is also attached.

It is not going to satisfy everyone, particularly Alaskans, but the proposal has been drafted with three primary factors in mind: (1) it protects key environmental features, (2) it sets up a process where by Congress will be able to make knowledgable land classifications in conflict areas, and (3) it deals equitably with the interests of the Natives and the State of Alaska. Overall it recognizes that there is more to the "national interest" than wilderness preservation.

The "Crown Jewels"

The proposal picks out for designation as Parks, Refuges, Forests, and Wild & Scenic River over 37 million acres of prime lands. These areas are, to use Secretary Andrus' phrase, the "crown jewels" of Alaska. New Park lands include Gates of the Arctic, the Wrangells, Lake Clark, the Kobuk Sand Dunes, McKinley additions, and others. The areas are a cross section of lands renowned for their scenery, uniqueness, wildlife, or recreational values. These new areas will add 16 million acres and increase the National Park System by over 60 percent.

New Refuges include the Yukon Delta, Shishmaref, Selawik, Koyukuk and others. These areas encompass critical water-fowl nesting ground, marine mammal areas, and important upland species habitat. If approved these areas will increase the Refuge system by 11 million acres or more than 30 percent.

Three new Forests and additions to the Chugach Forest are contained in the measure. Forest land includes the Yukon Flats, the Porcupine region, and the Yukon-Charley region. Each one of these areas has many values including, wildfowl, big game, agriculture, oil and gas, timber minerals, sport fishing and recreation. With such a multiplicity of values, these lands are ideally suited for Forest Service management, indeed, the Service proposed addition of these lands to the System in 1972. Total Forest land is nearly 10 million acres.

Lastly, the Noatak, the Charley, and Birch Creek are designated Wild & Scenic Rivers. Each is pristine environment which offers a superlative wild recreational adventure.

Process for Conflict Areas

Even setting aside 37 million acres leaves many millions of acres where there are significant environmental values. However, these same acres also possess other values of national importance including minerals, oil and gas, timber, habitation suitability, transportation, etc. The major problem regarding these lands -- which total nearly 90 million acres -- is that there is little hard data regarding what we give up in terms of one value to protect another. Without such knowledge it is impossible to make the trade-offs implicit in any virtually permanent land classification.

For example, in the Kantishna area north of McKinley or the Chitina Valley in the Wrangells there are mineral prospects, recreational potential, scenic values, wildlife, State selection interests, lands suitable for habitation, etc. Selecting Park classification -- as contained in H.R. 39, the Andrus measure, and the Seiberling draft -- effectively forecloses on three of the values. Does the Subcommittee know what its giving up in terms of minerals or settlement prospects to opt for the Park values?

I originally proposed the co-operative management scheme under a Federal-State Commission to manage these conflict areas, conduct resource inventories and prepare appropriate land use plans. Frankly, the co-operative management concept has not gotten much support. As an alternative, I have fallen back

on a less imaginative but hopefully more acceptable approach: extend the existing D-2 and D-1 withdrawals and require the President to do a thorough study of the conflict areas and return to Congress in five years with a comprehensive recommendation. The study directive is broadened to cover all values -- not just those related to the environment. Things have changed since 17(d)(2) was passed in 1971. We have gone through an oil embargo, a gas crisis, we see a looming mineral shortages, and face a projected \$20 billion balance-of-payments deficit to pay for imported energy and minerals. There's more at stake on Federal lands in Alaska than wilderness. Alaska has wilderness, it has resources, and the Federal lands should be studied for and I believe dedicated to both.

I like to think that taking some time to do it right is prudent. Frankly, this strikes me as more rational than putting vast acreages into Parks and Wilderness than jerry rigging special processes whereby we decide later that a Park is really not a Park after all but a mineral area.

Equity: Native & State Lands

Congress has twice made land promises to Alaska. In 1958 when it made Alaska a state and in 1971 when it settled Native claims. Unfortunately, both of these promises remain unredeemed.

The Native Claims Act promised the natives their land "immediately" after selections were complete. Selections have been finished for sometime now and to date the natives have gotten only 3 million of the 44 million acres to which they are entitled. Furthermore, red tape and legal snafus promise to prevent the conveyance of additional land for years to come.

The State faces a slightly different problem. It has made selections totaling 73 million acres and needs to pick 30 million acres more to fulfill its entitlement. However, it has received title to less than 25 million acres of its selection and it is blocked from finishing its picks. The Statehood Act ruled 83 million acres of Federal land off-limits to State selection, the Natives have first choice of 44 million acres, Federal D-2 withdrawals cover 80 million acres, Federal D-1 withdrawals cover another 45 million -- all 252 million of these acres are off-limits to State selection. How much can be placed off-limits before we effectively violate the promises implicit in the Statehood Act? And when we add these 252 million acres to the 73 million of existing State choices we come up with 325 million acres. Is the State to get its last 30 million acres or the remaining 30 percent of its entitlement from the 50 million acres nobody else wants?

Consequently, the proposed bill directs the Secretary of Interior to convey land to the natives without delay. It also directs him to convey already selected lands to the State. Lastly, it instructs the Secretary to get on with the D-1 classification process set forth in the Claims Act and, as noted before, sets a schedule for prudently classifying remaining D-2 lands. Timely completion of these processes and recognition of the State's interests will permit the Federal government to make land available for selection by the State. Equity demands nothing less.

Other issues can also be covered by the equity heading including subsistence and access. The measure ensures continuation of the subsistence life style by providing a priority for subsistence taking and ensures local input in the drafting of appropriate subsistence regulations. This is an equitable way to deal with the people who inhabit the bush.

Regarding access, the bill merely provides that reasonable access to and from State, native, and private lands across Federal lands is guaranteed subject to Secretarial regulations. This ensures that all Alaskan land holders have the option of developing their land without worry that the Federal government will prevent reasonable, economically essential ingress and egress.

Summary

The proposal has six major features: (1) 37 million acres of lands are set aside as Parks, Refuges, Forests, and Wild & Scenic Rivers; (2) remaining D-2 and D-1 withdrawals are extended for five years pending a comprehensive Presidential study; (3) D-1 withdrawals may be classified by the Secretary according to the process elaborated in 17(d)(1) of ANCSA, (4) lands are conveyed to the Natives and the State, (5) the subsistence life style is protected, and (6) reasonable, regulated access is assured.

This measure does not offer the final answer but it protects those areas of undisputed environmental value, establishes a process for knowledgeably resolving resource conflicts on other lands, and deals equitably with Native and State interests. Above all it recognizes the complete spectrum of National interests.

October 17, 1977

SUMMARY -- YOUNG ALASKA D-2 LANDS PROPOSAL

Titles I through VIII designate the following areas as units of the National Park System:

	<u>Millions of acres</u>
Aniakchak Monument/Preserve	.26
Cape Krusenstern Monument	.19
Gates of the Arctic Park/Preserve	4.80
Katmai Additions	.60
Kobuk Sand Dunes Monument	.10
Lake Clark Preserve	2.59
McKinley Additions	1.53
Wrangells Park/Preserve	<u>6.20</u>
Subtotal	16.27

Titles IX through XVII designate the following areas as units of the National Wildlife Refuge System:

Arctic Game Range Addition	.80
Coastal	.15
Innoko	1.20
Kaiyuh	.19
Kanutu Flats	.43
Kenai Moose Range Addition	.04
Koyukuk	1.58
Selawik	.73
Shishmaref	.76
Yukon Delta	<u>5.10</u>
Subtotal	10.98

Titles XVIII through XXII designates the following areas as units of the National Forest System:

Chugach Additions	3.4
Porcupine	2.6
Yukon-Charley	1.5
Yukon Flats	<u>2.1</u>
Subtotal	9.6

Titles XXIII through XXV designate the Noatak and Birch Creek as Wild and Scenic Rivers to be managed by the Secretary of Interior and the Charley River as Wild and Scenic under Forest Service Management. Total acreage involved is 600,000 outside other systems.

Total land affected by the four systems proposals is 37.45 million acres.

Title XXVII deals with administration and covers the following items:

Subsistence -- Subsistence taking by local residents is given a preference over sport hunting and the program shall be managed by the State. Local input will be garnered through the existing State system of 53 local advisory councils and Governor Hammond's proposed regional council system. The provision does not attempt to define subsistence and does not establish a permit or i.d. card system.

Native and State Land Selections -- Selections are protected from Federal pre-emption or revocation and lands already selected are to be conveyed to the Natives and the State within one year.

Co-Operative Agreements -- A mechanism is provided for the execution of voluntary co-operative management agreements among the Federal government, the State, the Natives and other land holders in Alaska.

Lower 49 Trust Fund -- A percentage of royalties and revenues which derive from any mineral development which may occur on lands designated in the bill are earmarked for a special fund. The fund shall be used solely for the purchase of Park, Refuge, or Forest lands in the lower 49 States.

Title XXVIII extends the existing D-2 and D-1 withdrawals in areas not covered by four systems classifications. The D-2 withdrawals are extended for five years and effectively "freeze" the land. State selection, mineral entry, homesteading, etc. are precluded by this withdrawal. In addition, the Secretary is directed to complete the D-1 classification process set forth in ANCSA within six months of enactment. This does not prevent the Secretary from holding these lands, following classification, for further study under the D-2 provision.

Title XXIX directs the President to conduct a comprehensive survey of D-2 and D-1 lands including an inventory of surface and subsurface natural, scenic, resource, and other values. He shall report back to Congress within four years with recommendations for the disposition of these lands. This study directive is broader than that originally set forth in 1971 by Section 17(d)(2).

PROPOSAL OFFERED BY REP. YOUNG OF ALASKA

Relating to the classification of certain lands within the State
of Alaska, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Alaska National Interest
4 Lands Act".

5 CONGRESSIONAL FINDINGS, POLICY, AND PURPOSES

6 SEC. 2. (a) FINDINGS.—The Congress finds and
7 declares the following:

8 (1) It is necessary to create a program of manage-
9 ment for Alaska's national interest lands which protects
10 significant natural, scenic, recreational, wildlife, and
11 other values of national interest;

(2) It is in the national interest to continue to inventory resource values on lands designated by this Act;

(3) The completion and conveyance of land selections by Alaska Natives and the State of Alaska pursuant to the Alaska Native Claims Settlement Act () and the Alaska Statehood Act (PL 85-508) should be accomplished as rapidly as possible.

(b) POLICY AND PURPOSES - It is therefore declared to be the policy and purposes of the Congress under this Act to protect the national interest by establishing certain lands as new units or as additions to existing units of Federal management systems and by extending existing Federal withdrawals of national interest lands in Alaska pending the completion of an adequate resource inventory or values on these lands by the President.

SEC. 3. DEFINITIONS AS USED IN THIS ACT. - The term-

(1) "resource inventory" means the quantitative and qualitative study and compilation of the characteristics of lands, their resources and values;

(2) "Secretary" means, unless specifically designated otherwise, the Secretary of the Interior;

(3) "Settlement Act" means the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1601 et seq.); and

TITLE I - ANIAKCHAK-CALDERA NATIONAL
MONUMENT
ESTABLISHMENT

SEC. 101. (a) There is hereby established the Aniakchak-Caldera National Monument of approximately 180,000 acres and an associated Preserve of approximately 80,000 acres. This area shall consist of the lands, waters, and interests therein generally depicted on the map entitled "Boundary Map, National Monument, Alaska", dated _____, 1977, which shall be on file and available for public inspection in the Office of the Secretary.

(b) As soon as practicable after the date of enactment of this Act, a map and a legal description of the area established by this title shall be published by the Secretary in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on

1 Interior and Insular Affairs of the House of Representatives,
2 and such map and legal description shall have the same
3 force and effect as if included in this Act: *Provided, however,*
4 That correction of clerical and typographical errors in such
5 legal description may be made. Whenever possible, cadastral
6 surveys and boundaries shall follow or approximate hydro-
7 graphic divides or embrace other physiographic features.

ADMINISTRATION

SEC. 102. Subject to valid existing rights, lands
waters, and interests therein comprising the area established
by section 101 of this title shall be administered by the
Secretary under the laws of general applicability to other
areas comprising a unit of the National Park System,
including, but not limited to, the Act of August 23, 1916
(30 Stat. 535 et. seq.), and in accordance with the
provisions of this Act. The taking of wildlife shall be
allowed under appropriate regulation on those lands
designated as a Preserve.

17 TITLE II—CAPE KRUSENSTERN NATIONAL

18 MONUMENT

19 ESTABLISHMENT

20 SEC. 201. (a) There is hereby established the Cape
21 Krusenstern National Monument of approximately
22 190,000 acres. This area shall consist of the
23 lands, waters, and interests therein generally depicted on
24 the map entitled "Boundary Map, National Monument,
25 Alaska," dated , 1977, which shall be on file

1 and available for public inspection
2 in the Office of the Secretary.

3 (b) As soon as practicable after the date of enactment
4 of this Act, a map and a legal description of the area estab-
5 lished by this title shall be published by the Secretary in
6 the Federal Register and filed with the Committee on En-
7 ergy and Natural Resources of the Senate and the Committee
8 on Interior and Insular Affairs of the House of Representa-
9 tives, and such map and legal description shall have the
10 same force and effect as if included in this Act: *Provided,*
11 *however,* That correction of clerical and typographical errors
12 in such legal description may be made. Whenever possible,
13 cadastral surveys and boundaries shall follow or approximate
14 hydrographic divides or embrace other physiographic
15 features.

16 ADMINISTRATION

17 SEC. 202. Subject to valid existing rights, lands, waters,
18 and interests therein comprising the area established by
19 section 201 of this title shall be administered by the Secre-
20 tary under the laws of general applicability to other areas
21 comprising a unit of the National Park System, including,
22 but not limited to, the Act of August 23, 1916 (30 Stat.
23 535 et seq.); as amended and supplemented (16 U.S.C.
24 1 et seq.), and in accordance with the provisions of this Act.

1 TITLE III—KOBUK SAND DUNES NATIONAL
2 MONUMENT
3 ESTABLISHMENT

4 SEC. 301. (a) There is hereby established the Kobuk
5 Sand Dunes National Monument of approximately
6 100,000 acres. This area shall consist of the
7 lands, waters, and interests therein generally depicted on
8 the map entitled "Boundary Map, National Monument,
9 Alaska", dated , 1977, which shall be on
10 file and available for public inspection
11 in the Office of the Secretary.

12 (b) As soon as practicable after the date of enact-
13 ment of this Act, a map and a legal description of the
14 area established by this title shall be published by the Sec-
15 retary in the Federal Register and filed with the Commit-
16 tee on Energy and Natural Resources of the Senate and
17 the Committee on Interior and Insular Affairs of the House
18 of Representatives, and such map and legal description
19 shall have the same force and effect as if included in this
20 Act; *Provided, however,* That correction of clerical and
21 typographical errors in such legal description may be made.
22 Whenever possible, cadastral surveys and boundaries shall
23 follow or approximate hydrographic divides or embrace
24 other physiographic features.

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ADMINISTRATION

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SEC. 302. Subject to valid existing rights, lands, waters, and interests therein comprising the area established by section 301 of this title shall be administered by the Secretary under the laws of general applicability to other areas comprising a unit of the National Park System, including, but not limited to, the Act of August 23, 1916 (30 Stat. 535 et seq.), as amended and supplemented (16 U.S.C. 1 et seq.), and in accordance with the provisions of this

TITLE IV - GATES OF THE ARCTIC NATIONAL PARK

ESTABLISHMENTS

SEC. 401. (a) There is hereby established the Gates of the Arctic National Park of approximately 3.9 million acres and an associated Preserve of approximately 900,000 acres. This area shall consist

of the lands, waters, and interests therein generally depicted on the map entitled "Boundary Map, National Monument, Alaska," dated , 1977, which shall be on file and available for public inspection in the Office of the Secretary.

(b) As soon as practicable after the date of enactment of this Act, a map and a legal description of the area established by this title shall be published by the Secretary in the Federal Register and filed with the Committee on Energy

1 and Natural Resources of the Senate and the Committee on
2 Interior and Insular Affairs of the House of Representatives,
3 and such map and legal description shall have the same force
4 and effect as if included in this Act: *Provided, however,* That
5 correction of clerical and typographical errors in such legal
6 description may be made. Whenever possible cadastral sur-
7 veys and boundaries shall follow or approximate hydro-
8 graphic divides or embrace other physiographic features.

ADMINISTRATION

SEC. 402. Subject to valid existing rights, lands, waters, and interests therein comprising the area established by section 401 of this title shall be administered by the Secretary under the laws of general applicability to other areas comprising a unit of the National Park System, including, but not limited to, the Act of August 23, 1916 (30 Stat. 535 et seq.), as amended and supplemented (16 U.S.C. 1 et seq.), and in accordance with the provisions of this Act. The taking of wildlife shall be allowed under appropriate regulation on those lands designated as a Preserve.

18 TITLE V--KATMAI NATIONAL PARK

19 ESTABLISHMENT

20 SEC. 501. (a) There is hereby established the Katmai
21 National Monument Addition of approximately 600,000
22 acres. The monument, with the addition, is herein-
23 after designated as a National Park. This area shall consist of
24 the lands, waters, and interests therein generally depicted on
25 the map entitled "Boundary Map, National Park, Alaska".

1 dated _____, 1977, which shall be on file and avail-
2 able for public inspection _____
3 _____ in the Office of the Secretary.

4 (b) As soon as practicable after the date of enactment
5 of this Act, a map and a legal description of the area estab-
6 lished by this title shall be published by the Secretary in the
7 Federal Register and filed with the Committee on Energy
8 and Natural Resources of the Senate and the Committee on
9 Interior and Insular Affairs of the House of Representatives,
10 and such map and legal description shall have the same force
11 and effect as if included in this Act: *Provided, however,*
12 *That correction of clerical and typographical errors in such*
13 *legal description may be made. Whenever possible, cadastral*
14 *surveys and boundaries shall follow or approximate hydro-*
15 *graphic divides or embrace other physiographic features.*

16 _____ ADMINISTRATION

17 SEC. 502. Subject to valid existing rights, lands, waters,
18 and interests therein comprising the area established by sec-
19 tion 501 of this title shall be administered by the Secretary
20 under the laws of general applicability to other areas com-
21 prising a unit of the National Park System, including, but not
22 limited to, the Act of August 23, 1916 (30 Stat. 535 et
23 seq.), as amended and supplemented (16 U.S.C. 1 et seq.),
24 and in accordance with the provisions of this Act.

1 TITLE VI—MOUNT MCKINLEY NATIONAL PARK
2 ADDITION
3 ESTABLISHMENT

4 SEC. 601. (a) There is hereby established the Mount
5 McKinley National Park Addition of approximately 1.53
6 million acres. This area shall
7 consist of the lands, waters, and interests therein generally
8 depicted on the map entitled "Boundary Map, National
9 Park, Alaska", dated , 1977, which shall
10 be on file and available for public inspection
11 in the Office of the Secretary.

12 (b) As soon as practicable after the date of enactment
13 of this Act, a map and a legal description of the area estab-
14 lished by this title shall be published by the Secretary in
15 the Federal Register and filed with the Committee on
16 Energy and Natural Resources of the Senate and the Com-
17 mittee on Interior and Insular Affairs of the House of
18 Representatives, and such map and legal description shall
19 have the same force and effect as if included in this Act:
20 *Provided, however,* That correction of clerical and typo-
21 graphical errors in such legal description may be made.
22 Whenever possible, cadastral surveys and boundaries shall
23 follow or approximate hydrographic divides or embrace
24 other physiographic features.

ADMINISTRATION

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2 SEC. 602. Subject to valid existing rights, lands, waters,
3 and interests therein comprising the area established by
4 section 601 of this title shall be administered by the Secre-
5 tary under the laws of general applicability to other areas
6 comprising a unit of the National Park System, including,
7 but not limited to, the Act of August 23, 1916 (30 Stat.
8 535 et seq.), as amended and supplemented (16 U.S.C. 1
9 et seq.), and in accordance with the provisions of this Act.

10 TITLE VII—WRANGELL-SAINT ELIAS NATIONAL
11 PARK

ESTABLISHMENT

12 SEC. 701. (a) There is hereby established the Wrangell-
Saint Elias National Park of approximately 4.9 million acres
and an associated Preserve of approximately 1.3 million
acres. This area shall consist
16 of the lands, waters, and interests therein generally depicted
17 on the map entitled "Boundary Map, National Park,
18 Alaska", dated , 1977, which shall be on
19 file and available for public inspection
20 in the Office of the Secretary.
21 (b) As soon as practicable after the date of enact-
22 ment of this Act, a map and a legal description of the
23 area established by this title shall be published by the Sec-
24 retary in the Federal Register and filed with the Commit-
25 tee on Energy and Natural Resources of the Senate and

1 the Committee on Interior and Insular Affairs of the House
2 of Representatives, and such map and legal description
3 shall have the same force and effect as if included in this
4 Act: *Provided, however,* That correction of clerical and
5 typographical errors in such legal description may be made.
6 Whenever possible, cadastral surveys and boundaries shall
7 follow or approximate hydrographic divides or embrace
8 other physiographic features.

9 ADMINISTRATION

10 SEC. 702. Subject to valid existing rights, lands, waters,
11 and interests therein comprising the area established by
12 section 701 of this title shall be administered by the Secre-
13 tary under the laws of general applicability to other areas
14 comprising a unit of the National Park System, including
15 but not limited to, the Act of August 23, 1916 (30 Stat.
16 535 et seq.), as amended and supplemented (16 U.S.C.
17 1 et seq.), and in accordance with the provisions of this
18 Act.

The taking of wildlife shall be allowed subject to
appropriate regulation on those lands designated as a
Preserve.

TITLE VIII - THE LARK CLARK NATIONAL

PRESERVE

SEC. 801. (a) There is hereby established the Lake
Clark National Preserve of approximately 2.59 million
acres. This area shall consist of the lands, waters,

and interests therein generally depicted on the map entitled "Boundary Map, National Park, Alaska", dated 1977, which shall be on file and available for public inspection in the Office of the Secretary.

(b) As soon as practicable after the date of enactment of this Act, a map and a legal description of the area established by this title shall be published by the Secretary in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

SEC. 802. Subject to valid existing rights, lands, waters, and interests therein comprising the area established by section 801 of this title shall be administered by the Secretary under the laws of general applicability to other areas comprising a unit of the National Park System, including but not limited to, the Act of August 23, 1916 (30 Stat. 535 et seq.), as amended and supplemented (16 U.S.C. 1 et seq.), and in accordance with the provisions of this Act. The taking of wildlife shall be allowed subject to appropriate regulation on those lands designated as a Preserve.

19 TITLE IX —ALASKA COASTAL NATIONAL
20 WILDLIFE REFUGE
21 ESTABLISHMENT

22 SEC. 901 (a) There is hereby established the Alaska
23 Coastal National Wildlife Refuge of approximately 150,000 acres.

24 Those areas shall consist of the
1 lands waters, and interests therein generally depicted on the
2 map entitled "Boundary Map, National Wildlife Refuge,
3 Alaska", dated , 1977, which shall be on file
4 and available for public inspection in the principal office of
5 the Secretary.

6 (b) As soon as practicable after the date of enactment
7 of this Act, a map and a legal description of the area estab-
8 lished by this title shall be published by the Secretary in the
9 Federal Register and filed with the Committee on Energy
10 and Natural Resources of the Senate and the Committee on
11 Interior and Insular Affairs of the House of Representatives,
12 and such map and legal description shall have the same force
13 and effect as if included in this Act: *Provided, however,* That
14 correction of clerical and typographical errors in such legal
15 description may be made. Whenever possible, cadastral sur-
16 veys and boundaries shall follow or approximate hydro-
17 graphic divides or embrace other physiographic features.

18 SEC. 902. Subject to valid existing rights, lands, waters,
20 and interests therein comprising the area established by sec-
21 tion 901 of this title shall be administered by the Secretary
22 under the laws of general applicability to other areas com-
23 prising a unit of the National Wildlife Refuge System, and
24 in accordance with the provisions of this Act

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ADMINISTRATION

2 SEC. 1002 Subject to valid existing rights, lands, waters,
3 and interests therein comprising the area established by
4 section 1001 of this title shall be administered by the Sec-
5 retary under the laws of general applicability to other areas
6 comprising a unit of the National Wildlife Refuge System,
7 and in accordance with the provisions of this Act.

8

XI —KAIYUH NATIONAL WILDLIFE

9

REFUGE

10

ESTABLISHMENT

11 SEC. 1101. (a) There is hereby established the Kaiyuh
12 National Wildlife Refuge of approximately 190,000 acres.

13

14 Those areas shall consist of the
15 lands, waters, and interests therein generally depicted on the
16 map entitled "Boundary Map, National Wildlife Refuge,
17 Alaska", dated , 1977, which shall be on file
18 and available for public inspection in the principal office of
19 the Secretary.

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21 (b) As soon as practicable after the date of enactment of
22 this Act, a map and a legal description of the area estab-
23 lished by this title shall be published by the Secretary in the
24 Federal Register and filed with the Committee on Energy
25 and Natural Resources of the Senate and the Committee on
Interior and Insular Affairs of the House of Representatives,
and such map and legal description shall have the same force

1 and effect as if included in this Act: *Provided, however,* That
2 correction of clerical and typographical errors in such legal
3 description may be made. Whenever possible, cadastral sur-
4 veys and boundaries shall follow or approximate hydro-
5 graphic divides or embrace other physiographic features.

6 ADMINISTRATION

7 SEC. 1102. Subject to valid existing rights, lands, waters,
8 and interests therein comprising the area established by sec-
9 tion 1101 of this title shall be administered by the Secre-
10 tary under the laws of general applicability to other areas
11 comprising a unit of the National Wildlife Refuge System,
12 and in accordance with the provisions of this Act.

13 TITLE XII--KANUTI NATIONAL WILDLIFE

14 REFUGIE

15 ESTABLISHMENT

16 SEC. 1201 (a) There is hereby established the Kanuti
17 National Wildlife Refuge of approximately 430,000 acres.

18 Those areas shall consist of the
19 lands, waters, and interests therein generally depicted on
20 the map entitled "Boundary Map, National Wildlife Refuge,
21 Alaska", dated _____, 1977, which shall be on
22 file and available for public inspection in the principal office
23 of the Secretary.

24 (b) As soon as practicable after the date of enact-
25 ment of this Act, a map and a legal description of the

1 area established by this title shall be published by the Sec-
2 retary in the Federal Register and filed with the Commit-
3 tee on Energy and Natural Resources of the Senate and
4 the Committee on Interior and Insular Affairs of the House
5 of Representatives, and such map and legal description shall
6 have the same force and effect as if included in this Act:
7 *Provided, however,* That correction of clerical and typo-
8 graphical errors in such legal description may be made.
9 Whenever possible, cadastral surveys and boundaries shall
10 follow or approximate hydrographic divides or embrace
11 other physiographic features.

12 ADMINISTRATION

13 SEC. 1202. Subject to valid existing rights, lands, waters,
14 and interests therein comprising the area established by
15 section 1201 of this title shall be administered by the Sec-
16 retary under the laws of general applicability to other areas
17 comprising a unit of the National Wildlife Refuge System,
18 and in accordance with the provisions of this Act.

19 TITLE XIII—KOYUKUK NATIONAL WILDLIFE
20 REFUGE

21 ESTABLISHMENT

22 SEC. 1301. (a) There is hereby established the Koyukuk
23 National Wildlife Refuge of approximately 1.58 million
24 acres. Those areas shall consist

1 of the lands, waters, and interests therein generally depicted
2 on the map entitled "Boundary Map, National Wildlife Ref-
3 uge, Alaska", dated _____, 1977, which shall be on
4 file and available for public inspection in the principal office
5 of the Secretary.

6 (b) As soon as practicable after the date of enactment
7 of this Act, a map and a legal description of the area estab-
8 lished by this title shall be published by the Secretary in the
9 Federal Register and filed with the Committee on Energy
10 and Natural Resources of the Senate and the Committee on
11 Interior and Insular Affairs of the House of Representatives,
12 and such map and legal description shall have the same force
13 and effect as if included in this Act: *Provided, however,* That
14 correction of clerical and typographical errors in such legal
15 description may be made. Whenever possible, cadastral sur-
16 veys and boundaries shall follow or approximate hydro-
17 graphic divides or embrace other physiographic features.

18 ADMINISTRATION

19 SEC. 1302. Subject to valid existing rights, lands, waters,
20 and interests therein comprising the area established by sec-
21 tion 1301 of this title shall be administered by the Secretary
22 under the laws of general applicability to other areas com-
23 prising a unit of the National Wildlife Refuge System, and
24 in accordance with the provisions of this Act.

1 TITLE XIV —SELAWIK NATIONAL WILDLIFE
2 REFUGE
3 ESTABLISHMENT

4 SEC. 1401. (a) There is hereby established the Selawik
5 National Wildlife Refuge of approximately 730,000
6 acres. Those areas shall consist of the
7 lands, waters, and interests therein generally depicted on the
8 map entitled "Boundary Map, National Wildlife Refuge,
9 Alaska", date _____, 1977, which shall be on file
10 and available for public inspection in the principal office of
11 the Secretary.

12 (b) As soon as practicable after the date of enactment
13 of this Act, a map and a legal description of the area estab-
14 lished by this title shall be published by the Secretary in the
15 Federal Register and filed with the Committee on Energy
16 and Natural Resources of the Senate and the Committee on
17 Interior and Insular Affairs of the House of Representa-
18 tives, and such map and legal description shall have the
19 same force and effect as if included in this Act: *Provided,*
20 *however,* That correction of clerical and typographical errors
21 in such legal description may be made. Whenever possible,
22 cadastral surveys and boundaries shall follow or approximate
23 hydrographic divides or embrace other physiographic
24 features.

1 of Representatives, and such map and legal description shall
2 have the same force and effect as if included in this Act:
3 *Provided, however,* That correction of clerical and typo-
4 graphical errors in such legal description may be made.
5 Whenever possible, cadastral surveys and boundaries shall
6 follow or approximate hydrographic divides or embrace
7 other physiographic features.

8 ADMINISTRATION

9 SEC. 1502. Subject to valid existing rights, lands, waters,
10 and interests therein comprising the area established by
11 section 1501 of this title shall be administered by the Sec-
12 retary under the laws of general applicability to other areas
13 comprising a unit of the National Wildlife Refuge System,
14 and in accordance with the provisions of this Act.

15 TITLE XVI—YUKON DELTA NATIONAL WILDLIFE
16 REFUGE

17 ESTABLISHMENT

18 SEC. 1601. (a) There is hereby established the Yukon
19 Delta National Wildlife Refuge of approximately 5.1
20 million acres. Those areas shall consist of
21 the lands, waters, and interests therein generally depicted on
22 the map entitled "Boundary Map, National Wildlife Refuge,
23 Alaska", dated , 1977, which shall be on file
24 and available for public inspection in the principal office of
25 the Secretary.

1 (b) As soon as practicable after the date of enactment
2 of this Act, a map and a legal description of the area estab-
3 lished by this title shall be published by the Secretary in the
4 Federal Register and filed with the Committee on Energy
5 and Natural Resources of the Senate and the Committee on
6 Interior and Insular Affairs of the House of Representatives,
7 and such map and legal description shall have the same force
8 and effect as if included in this Act: *Provided, however,* That
9 correction of clerical and typographical errors in such legal
10 description may be made. Whenever possible, cadastral sur-
11 veys and boundaries shall follow or approximate hydro-
12 graphic divides or embrace other physiographic features.

13 ADMINISTRATION

14 SEC. 1602. Subject to valid existing rights, lands, waters,
15 and interests therein comprising the area established by sec-
16 tion 1601 of this title shall be administered by the Secretary
17 under the laws of general applicability to other areas com-
18 prising a unit of the National Wildlife Refuge System, and
19 in accordance with the provisions of this Act.

TITLE XVII - - ARCTIC NATIONAL WILDLIFE RANGE ADDITION

SEC. 1701. (a). There is hereby established an
addition to the Arctic National Wildlife Range of
approximately 800,000 acres. Those areas shall consist
of the lands, waters, and interests therein generally
depicted on the map entitled "Boundary Map, National
Wildlife Refuge, Alaska", dated , 1977,
which shall be on file and available for public inspection

in the principal office of the Secretary.

(b) As soon as practicable after the date of enactment of this Act, a map and a legal description of the area established by this title shall be published by the Secretary in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 1702. Subject to valid existing rights, lands, waters, and interests therein comprising the area established by section 1701 of this title shall be administered by the Secretary under the laws of general applicability to other areas comprising a unit of the National Wildlife Refuge System and in accordance with the provisions of this Act.

20 ~~TITLE XVIII~~ COLLEGE FJORD ADDITION TO THE

21 ~~CHUGACH NATIONAL FOREST~~ CHUGACH NATIONAL FOREST

22 ~~ESTABLISHMENT~~ ESTABLISHMENT

23 SEC. 1801. (a) There is hereby established the College

24 Fjord Addition to the Chugach National Forest of approxi-

25 mately 720,000 acres. Those

1 areas shall consist of the lands, waters, and interests therein
2 generally depicted on the map entitled "Boundary Map, Na-
3 tional Forest, Alaska," dated , 1977, which
4 shall be on file and available for public inspection in the
5 principal office of the Secretary of Agriculture.

6 (b) As soon as practicable after the date of enactment
7 of this Act, a map and a legal description of the area
8 established by this title shall be published by the Secretary
9 of Agriculture in the Federal Register and filed with the
10 Committee on Energy and Natural Resources of the Senate
11 and the Committee on Interior and Insular Affairs of the
12 House of Representatives, and such map and legal description
13 shall have the same force and effect as if included in this
14 Act: *Provided, however,* That correction of clerical and typo-
15 graphical errors in such legal description may be made.
16 Whenever possible, cadastral surveys and boundaries shall
17 follow or approximate hydrographic divides or embrace other
18 physiographic features.

19 ADMINISTRATION

20 SEC. 1802. Subject to valid existing rights, lands, waters,
21 and interests therein comprising the area established by sec-
22 tion 1801 of this title shall be administered by the Secretary
23 of Agriculture under the laws of general applicability to
24 other areas comprising a unit of the National Forest System,
25 and in accordance with the provisions of this Act.

1 TITLE XIX —NELLIE JUAN ADDITION TO THE
2 CHUGACH NATIONAL FOREST

3 ESTABLISHMENT

4 SEC.1901.. (a) There is hereby established the Nellie
5 Juan Addition to the Chugach National Forest of approxi-
6 mately 280,000 acres. Those areas
7 shall consist of the lands, waters, and interests therein gener-
8 ally depicted on the map entitled "Boundary Map, National
9 Forest, Alaska", dated , 1977, which shall
10 be on file and available for public inspection in the principal
11 office of the Secretary of Agriculture.

12 (b) As soon as practicable after the date of enactment
13 of this Act, a map and a legal description of the area estab-
14 lished by this title shall be published by the Secretary of
15 Agriculture in the Federal Register and filed with the Com-
16 mittee on Energy and Natural Resources of the Senate and
17 the Committee on Interior and Insular Affairs of the House
18 of Representatives; and such map and legal description shall
19 have the same force and effect as if included in this Act:
20 *Provided, however,* That correction of clerical and typo-
21 graphical errors in such legal description may be made.
22 Whenever possible, cadastral surveys and boundaries shall
23 follow or approximate hydrographic divides or embrace
24 other physiographic features.

2 SEC.1902. Subject to valid existing rights, lands, waters,
3 and interests therein comprising the area established by
4 section 1901 of this title shall be administered by the Secre-

5 tary of Agriculture under the laws of general applicability
6 to other areas comprising a unit of the National Forest
7 System, and in accordance with the provisions of this Act.

TITLE XX -- COPPER RIVER ADDITION TO THE CHUGACH NATIONAL FOREST

SEC. 2001. (a) There is hereby established the Copper River addition to the Chugach National Forest of approximately 2.4 million acres. Those areas shall consist of the lands, waters, and interests therein generally depicted on the map entitled "Boundary Map, National Forest, Alaska", dated , 1977, which shall be on file and available for public inspection in the principal office of the Secretary of Agriculture.

(b) As soon as practicable after the date of enactment of this Act, a map and a legal description of the area established by this title shall be published by the Secretary of Agriculture in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

SEC. 2002. Subject to valid existing rights, lands, waters, and interests therein comprising the area established by section 2001 of this title shall be administered by the

Secretary of Agriculture under the laws of general applicability to other areas comprising a unit of the National Forest System, and in accordance with the provisions of this Act.

8 TITLE XXI —PORCUPINE NATIONAL FOREST.

9 ESTABLISHMENT

10 SEC. 2101. (a) There is hereby established the Por-
11 cupine National Forest of approximately
12 2.6 million acres. Those areas shall
13 consist of the lands, waters, and interests therein generally
14 depicted on the map entitled "Boundary Map, National
15 Forest, Alaska", dated , 1977, which shall
16 be on file and available for public inspection in the prin-
17 cipal office of the Secretary of Agriculture.

18 (b) As soon as practicable after the date of enact-
19 ment of this Act, a map and a legal description of the
20 area established by this title shall be published by the Sec-
21 retary of Agriculture in the Federal Register and filed with
22 the Committee on Energy and Natural Resources of the
23 Senate and the Committee on Interior and Insular Affairs
24 of the House of Representatives, and such map and legal
25 description shall have the same force and effect as if in-

1 cluded in this Act: *Provided, however,* That correction of
2 clerical and typographical errors in such legal description
3 may be made. Whenever possible, cadastral surveys and
4 boundaries shall follow or approximate hydrographic divides
5 or embrace other physiographic features.

6 *ADMINISTRATION*

7 SEC. 2102. Subject to valid existing rights, lands, waters,
8 and interests therein comprising the area established by
9 section 2101 of this title shall be administered by the Sec-
10 retary of Agriculture under the laws of general applicability
11 to other areas comprising a unit of the National Forest
12 System, and in accordance with the provisions of this Act.

13 TITLE XXII.—YUKON FLATS NATIONAL FOREST

14 *ESTABLISHMENT*

15 SEC. 2201. (a) There is hereby established the Yukon
16 Flats National Forest of approximately 2.1
17 million acres. Those areas shall consist of the
18 lands, waters, and interests therein generally depicted on the
19 map entitled "Boundary Map, National Forest, Alaska",
20 dated , 1977, which shall be on file and avail-
21 able for public inspection in the principal office of the Secre-
22 tary of Agriculture.

23 (b) As soon as practicable after the date of enactment of
24 this Act, a map and a legal description of the area established
25 by this title shall be published by the Secretary of Agriculture

1 in the Federal Register and filed with the Committee on
2 Energy and Natural Resources of the Senate and the Com-
3 mittee on Interior and Insular Affairs of the House of Rep-
4 resentatives, and such map and legal description shall have
5 the same force and effect as if included in this Act: *Provided,*
6 *however,* That correction of clerical and typographical errors
7 in such legal description may be made. Whenever possible,
8 cadastral surveys and boundaries shall follow or approximate
9 hydrographic divides or embraces other physiographic
10 features.

11 ADMINISTRATION

12 SEC. 2202. Subject to valid existing rights, lands, waters,
13 and interests therein comprising the area established by sec-
14 tion 2201 of this title shall be administered by the Secretary
15 of Agriculture under the laws of general applicability to other
16 areas comprising a unit of the National Forest System, and in
17 accordance with the provisions of this Act.

XXIII YUKON-CHARLEY NATIONAL FOREST

SEC. 2301. (a) There is hereby established the Yukon-Charley National Forest of approximately 1.5 million acres. Those areas shall consist of the lands, waters, and interests therein generally depicted on the map entitled "Boundary Map, National Forest, Alaska", dated _____, 1977, which shall be on file and available for public inspection in the principal office of the Secretary of Agriculture.

(b) As soon as practicable after the date of enactment of this Act, a map and a legal description of the area established by this title shall be published by the Secretary of Agriculture in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embraces other physiographic features.

ADMINISTRATION

SEC. 2303. Subject to valid existing rights, lands, waters, and interests therein comprising the area established by section 2301 of this title shall be administered by the Secretary of Agriculture under the laws of general applicability to other areas comprising a unit of the National Forest System, and in accordance with the provisions of this Act.

18 TITLE xxiv BIRCH CREEK NATIONAL WILD

19 RIVER

20 ESTABLISHMENT

21 SEC. 2401. (a) There is hereby established the Birch

22 Creek National Wild River of approximately 200,000

23 acres. This area shall consist of the lands, waters,

24 and the interests therein generally depicted on the map.

1 entitled "Boundary Map, National Wild and Scenic Rivers,
2 Alaska", dated _____, 1977, which shall be on file
3 and available for public inspection _____
4 _____ and the office of the Secretary.

5 (b) As soon as practicable after the date of such enact-
6 ment of this Act, a map and a legal description of the area
7 established by this title shall be published by the Secretary in
8 the Federal Register and filed with the Committee on Energy
9 and Natural Resources of the Senate and the Committee on
10 Interior and Insular Affairs of the House of Representatives
11 and such map and legal description shall have the same
12 force and effect as if included in this Act: *Provided, however,*
13 *That correction of clerical and typographical errors in such*
14 *legal description may be made. Whenever possible, cadastral*
15 *surveys and boundaries shall follow or approximate hydro-*
16 *graphic divides or embrace other physiographic features.*

17 ADMINISTRATION

18 SEC. 2402. Subject to valid existing rights, lands, waters,
19 and interests therein comprising the area established by sec-
20 tion 2401 of this title shall be administered by the Secretary
21 under the laws of general applicability to other areas compris-
22 ing a Wild River of the National Wild and Scenic Rivers
23 System, and in accordance with the provisions of this Act.

1 TITLE XXV.—CHARLEY NATIONAL WILD RIVER

2 ESTABLISHMENT

3 SEC. 2501. (a) There is hereby established the Charley
4 National Wild River of approximately 400,000 acres.

5 This area shall consist of the lands, waters, and the
6 interests therein generally depicted on the map entitled
7 "Boundary Map, National Wild and Scenic Rivers, Alaska",
8 dated _____, 1977, which shall be on file and
9 available for public inspection in _____

10 _____ the office of the Secretary. of Agriculture -

11 (b) As soon as practicable after the date of such enact-
12 ment of this Act, a map and a legal description of the area
13 established by this title shall be published by the Secretary
14 in the Federal Register and filed with the Committee on
15 Energy and Natural Resources of the Senate and the Com-
16 mittee on Interior and Insular affairs of the House of Repre-
17 sentatives and such map and legal description shall have the
18 same force and effect as if included in this Act: *Provided,*
19 *however,* That correction of clerical and typographical errors
20 in such legal description may be made. Whenever possible,
21 cadastral surveys and boundaries shall follow or approximate
22 hydrographic divides or embrace other physiographic features.

23 ADMINISTRATION

24 SEC. 2502 Subject to valid existing rights, lands, waters,
25 and interests therein comprising the area established by

1 section 2101 of this title shall be administered by the National
Forest Service under the laws of general applicability to other
3 areas comprising a Wild River of the National Wild and
4 Scenic Rivers System, and in accordance with the provisions
5 of this Act.

6 TITLE XXVI —NOATAK NATIONAL WILD RIVER
7 ESTABLISHMENT

8 SEC. 2601. (a) There is hereby established the Noatak
9 National Wild River of approximately 400,000 acres.

10 This area shall consist of the lands, waters, and the
11 interests therein generally depicted on the map entitled
12 "Boundary Map, National Wild and Scenic Rivers, Alaska",
13 dated _____, 1977, which shall be on file and avail-
14 able for public inspection _____ in
15 _____ the office of the Secretary.

16 (b) As soon as practicable after the date of such enact-
17 ment of this Act, a map and legal description of the area
18 established by this title shall be published by the Secretary in
19 the Federal Register and filed with the Committee on Energy
20 and Natural Resources of the Senate and the Committee on
21 Interior and Insular Affairs of the House of Representatives
22 and such map and legal description shall have the same force
23 and effect as if included in this Act: *Provided, however,* That
24 correction of clerical and typographical errors in such legal
25 description may be made. Whenever possible, cadastral sur-

1 veys and boundaries shall follow or approximate hydro-
2 graphic divides or embrace other physiographic features.

3 ADMINISTRATION

4 SEC. 2602. Subject to valid existing rights, lands, waters,
5 and interests therein comprising the area established by sec-
6 tion 2601 of this title shall be administered by the Secretary
7 under the laws of general applicability to other areas com-
8 prising a Wild River of the National Wild and Scenic Rivers
9 System, and in accordance with the provisions of this Act.

9 TITLE XXVII. —MANAGEMENT AND

10 ADMINISTRATION

10 BOUNDARY ADJUSTMENTS, PROHIBITION OF CERTAIN

11 ADMINISTRATIVE ACTS

12 SEC. 2701: (a) Following reasonable notice in writing
13 to the Committee on Energy and Natural Resources of the
14 Senate and the Committee on Interior and Insular Affairs
15 of the House of Representatives, and after publication of
16 notice in the Federal Register, the appropriate Secretary may
17 make minor revisions in the boundaries of the Federal units
18 established by this Act.

19 (b) Except as provided in subsection (a) of this sec-
20 tion, the Secretary and the Secretary of Agriculture
21 are prohibited from administratively establish-
22 ing in Alaska any new units or additions to units of the
23 systems referred to in this Act.

1 WILDLIFE MANAGEMENT

2 SEC. 2702. The taking of fish and game on all lands
3 subject to this Act shall be regulated by the State of Alaska
4 in accordance with applicable State law, including, but not
5 limited to, the regulation of seasons, bag limits, means and
6 methods, the administrative structure for wildlife manage-
7 ment and regulations, the determination of resource deple-
8 tion, and the definition of subsistence use and local residency.
9 Where there is a conflict caused by depletion, the taking of
10 fish and game for subsistence purposes shall be given prefer-
11 ence over the taking of fish and game for other purposes.
12 Such preference shall be granted to the local residents of the
13 area affected by a conflict between consumptive uses.
14 Nothing in this section shall be construed to require that
15 hunting or fishing be permitted where depletion of the re-
16 source would dictate a complete prohibition of such activities.

17 AGRICULTURAL DEVELOPMENT

18 SEC. 2703. Agricultural development, including but not
19 limited to cultivation and grazing, shall be permitted in
20 accordance with the provisions of this Act. Agricultural
21 rights shall be allocated by means of a long-term leasing
22 system developed jointly by the Secretary and Secretary of
23 Agriculture.

21 TRUST FUND TO PURCHASE CERTAIN LANDS

22 SEC. 2704. With respect to the areas referred to in titles
23 I to XXVI of this Act, the Federal share of proceeds
24 derived during each fiscal year from Federal leases, contracts,
25 permits, rights-of-way, easements, and other Federal inter-
1 ests in the State of Alaska, together with 50 per centum of
2 the State of Alaska's share of the revenues derived from the
3 Mineral Leasing Act of 1920, shall be paid into a trust fund
4 to be maintained on the books of the United States Treasury.
5 The trust fund shall be invested by the Secretary of the
6 Treasury for use by the Secretary in conjunction with but
7 separate from the Land and Water Conservation Fund, in
8 purchasing privately owned lands in States of the United
9 States, other than Alaska, for inclusion in units of the Na-
10 tional Park, National Wildlife Refuge, or Wild and Scenic
11 Rivers Systems. Moneys in the fund shall be available to the
12 Secretary in such amounts as may be provided in appropria-
13 tion Acts.

14 EFFECT ON STATE SELECTIONS

15 SEC. 2705. (a) No provisions of this Act shall be
16 construed to revoke or otherwise adversely affect any valid
17 selection, tentative approval, or patent made or received
18 by the State of Alaska pursuant to the Alaska Statehood
19 Act or other authority prior to the effective date of this
20 Act, nor shall any provisions of this Act be construed to
21 prohibit the State from receiving tentative approval or

22 patent to lands selected by it prior to the effective date of
23 this Act but not yet tentatively approved or patented.

24 (b) Within ninety days following the enactment of
25 this Act, and for a period of not less than two years there-

1 after, the Secretary shall make available to the State of
2 Alaska for possible selection by it pursuant, to the Alaska
3 Statehood Act, all Federal lands in Alaska except—

4 (1) lands encompassed within existing or new
5 units of the management system established by this
6 Act;

7 (2) lands reserved or withdrawn for a particular
8 purpose other than existing or future classifications pur-
9 suant to section 17 (d) (1) of the Settlement Act, the
10 Classification and Multiple Use Act of 1964 (43 U.S.C.
11 1411-18), the Federal Land Policy and Management
12 Act of 1976 (90 Stat. 2743; 43 U.S.C. 1701 et seq.);

13 (3) lands segregated for possible conveyance to a
14 Native corporation pursuant to the Settlement Act:
15 *Provided, however,* That except as otherwise provided
16 in this section, segregated land shall be made available
17 for State selection upon the final relinquishment of Na-
18 tive selection rights, such availability to continue for a
19 period of not less than one year from said relinquish-
20 ment; and

21 (4) lands described in Public Land Order 5184,
22 relating to an area of the Yukon-Kuskokwim Delta.

SEC.2705(c) Subject to valid existing rights, title to all lands presently certified by the Secretary to be subject to a valid selection application, or tentatively approved pursuant to the Alaska Statehood Act, is hereby conveyed to the State of Alaska. Future valid selections by the State of Alaska shall be conveyed by the Secretary to the State of Alaska within one year of certification by the Secretary of the completion of the respective application.

23

EFFECT ON NATIVE SELECTIONS

24

SEC.2706 (a) No provision of this Act shall be construed to adversely affect any otherwise valid selection or

25

1 patent made or received by a Native corporation or individual
2 pursuant to the Settlement Act.

3

(b) Immediately upon the final relinquishment by a
4 Native corporation of selection rights granted pursuant to the
5 Settlement Act, any affected lands which are located within
6 the boundaries of a unit referred to in this Act shall hereby
7 be added to and incorporated within the appropriate unit
8 to be administered under the provisions of this Act and the
9 laws of general applicability to such unit.

(c) Upon the transmittal by any Native, regional or village corporation to the Secretary of a list of selection priorities, the Secretary shall convey to that respective corporation lands selected by it pursuant to the Settlement Act until that corporation receives its entitlement under that Act. In no case shall a corporation receive conveyance to its entitlement later than one year after the transmittal of its priority list to the Secretary.

10 COOPERATIVE AGREEMENTS.

11 SEC. 2707. (a) The Secretary and the Secretary of
12 Agriculture after necessary consultation,
13 are authorized to cooperate and seek agreements with the
14 heads of other Federal agencies and the owners of lands and
15 waters within, adjacent to, or related to areas described in
16 this Act, including, without limitation, the State of Alaska
17 or any political subdivision thereof, any Native corporation,
18 village, or group having traditional cultural or resource-based
19 affinities for such areas, and, with the concurrence of the
20 Secretary of State, the governments of foreign nations. Such
21 agreements shall have as their purpose the assurance that
22 resources will be used, managed, and developed in such a
23 manner as to be consistent with the preservation of the
24 environmental quality of such areas. The agreements may

1 also provide for access by visitors to and across the lands
2 which are the subject of the agreements.

3 (b) The heads of any Federal agency, other than agen-
4 cies that are parties to cooperative agreements established
5 in accordance with the provisions of subsection (a) of this
6 section, having direct or indirect jurisdiction over a proposed
7 Federal or federally assisted undertaking in the lands and
8 waters within, adjacent to, or related to areas described in
9 this Act, and the head of any Federal department or inter-
10 departmental agency, other than parties to such agreements,
11 having authority to license any undertaking in such lands
12 and waters shall, prior to the approval of the expendi-
13 ture of any Federal funds on the undertaking or prior to the
14 issuance of any license, as the case may be, afford the
15 Secretary or the Secretary of Agriculture,
16 as appropriate, a reasonable opportunity to comment with
17 regard to such undertaking.

18 **PROPERTY ACQUISITION**

19 **SEC. 2708 . (a)** Within the boundaries of the Federal
20 areas established by this Act, and consistent with the laws
21 of general applicability to such units, the Secretary and the
22 Secretary of Agriculture, in the performance of their re-
23 spective functions under this Act, are authorized to acquire
24 lands, waters, or interests therein by donation, lease, pur-

1 chased with donated or appropriated funds or exchange:
2 *Provided, however, That, except as provided in section 4301,*
3 property owned by the State of Alaska, including its polit-
4 ical subdivisions, or by a private landowner may be ac-
5 quired only with the concurrence of the appropriate owner.

6 (b) In exercising his authority to acquire property by
7 exchange, the Secretary or the Secretary of Agriculture, as
8 the case may be, may accept title to any non-Federal prop-
9 erty located within the State of Alaska and may convey to
10 the grantor of such property any federally owned property
11 under the jurisdiction of that Secretary within said State.
12 The property so exchanged shall be approximately equal in
13 appraised fair market value: *Provided, however, That the*
14 appropriate Secretary may accept cash from or pay cash to
15 the grantor in order to equalize the value of the property
16 exchanged: *Provided further, That where the properties to*
17 be exchanged are not equal in appraised fair market value
18 or where such value cannot be ascertained with reasonable
19 certainty, the appropriate Secretary may enter into an ex-
20 change if he finds that the appraised fair market value of the
21 property to be received, together with the value of other pub-
22 lic benefits, equals or exceeds the value of the property which
23 the Federal Government will relinquish. To the extent au-
24 thorized by Alaska State law, and notwithstanding the pro-

1 libition contained in section 6 (g) of the Alaska Statehood
2 Act, the State may transfer mineral rights in a land exchange
3 executed pursuant to this title.

4 (c) At least ninety days (not counting days on which
5 the Senate and the House have adjourned for more than
6 three consecutive days) prior to the consummation of an ex-
7 change for other than equal appraised fair market value, the
8 Secretary involved shall notify the appropriate committees
9 of Congress of such exchange, and he shall provide the com-
10 mittees with a report which contains relevant background
11 information and the justification for the exchange. Such Sec-
12 retary is authorized to execute the proposed exchange unless,
13 within the ninety-day period provided in the preceding sen-
14 tence, the Congress has adopted a concurrent resolution
15 expressing disapproval.

TITLE XXVIII. Extension of Certain Existing
Withdrawals

Sec. 2801 (a) Public Land Order No. 5179, which was promulgated
by the Secretary pursuant to Section 17(d)(2) of the Settlement
Act, shall remain in full effect for five years following the
effective date of that order.

(b) With respect to national resource lands withdrawn by the Secretary pursuant to Section 17(d)(1) of the Settlement Act, and subject to the provisions of Section 2306 of that Act, the Secretary shall, pursuant to the Administrative Procedures Act (5 U.S.C. 550 et al.), publish final regulations regarding the classification of such lands for use under the public land laws of the United States within 6 months of the effective date of this Act.

TITLE XXIX Presidential Study of Certain Lands

Sec. 2901 (a) Within 4 years of the effective date of this Act, the President shall complete and deliver to the Congress a study as complete as practicable which shall include an inventory of surface and subsurface natural, scenic, resource and other values of lands withdrawn pursuant to Sections 17(d)(1) and (2) of the Settlement Act and referred to in Section XVIII of this Act. The study shall include recommendations to Congress as to the final disposition of the lands under study.

(b) Nothing in subsection (a) of this section shall be construed as affecting or altering the affect of other Federal laws on the study required in that subection, including, but not limited to NEPA, etc.

16 TITLE XXX —MISCELLANEOUS

17 REGULATIONS

18 SEC. 3001. The Secretary and the Secretary of
19 Agriculture are authorized to promulgate such regu-
20 lations as may be necessary to carry out their functions under
21 this Act.

22 SAVINGS CLAUSE

23 SEC. 3002. To the extent that there is a conflict not
24 specifically provided for herein between any provision of
1 this Act and any other Federal law, the provisions of this
2 Act shall govern.

3 SEPARABILITY

4 SEC. 3003. If any provision of this Act or the applica-
5 bility thereof is held invalid, the remainder of this Act shall
6 not be affected thereby.

7 APPROPRIATIONS

8 SEC. 3004. There are authorized to be appropriated
9 such sums as may be necessary to carry out the provisions of
10 this Act. Such appropriations are deemed by the Congress
11 as critical to the successful administration and management
12 of lands referred to herein.