

SCOMM

#22:70

Nov 7.
tell Sen. Colletta -

John Seiberling called for him personally - was unable to reach him.

Message is: Seib soliciting our comments on his draft which was accepted for mark-up which Seib. would like to begin on the 28th or 29th of November.

11.
DHEM HOME AHC

DHEM VSH
ATTN SFAAN
FROM BROOKS
DATE DECEMBER 16, 1977

THE FOLLOWING SHOULD BE GIVEN TO CONFER AND COLLETTA AND COPY
TO RON WHEN HE ARRIVES ON TUESDAY.

AMENDMENT TO HR 39

PAGE 146, STRIKE LINES 14, 15, AND 16 IN THEIR ENTIRETY, AND ON
PAGE 147, AFTER LINE 10 ADD NEW SUBSECTIONS AS FOLLOWS:

"(C) IN ANY CASE WHERE STATE-OWNED OR PRIVATELY OWNED LAND
(INCLUDING NATIVE LAND) OR A VALID MINING CLAIM OR OTHER VALID
OCCUPANCY IS SURROUNDED BY PUBLIC LANDS WITHIN ONE OR MORE
CONSERVATION SYSTEMS UNITS, THE STATE OR PRIVATE OWNER OR OCCUPIER
SHALL BE GIVEN SUCH EASEMENTS OR OTHER RIGHTS AS MAY BE NECESSARY
TO ASSURE ADEQUATE ACCESS TO SUCH SURROUNDED LAND OR OCCUPANCY
BY SUCH STATE OR PRIVATE OWNER OR OCCUPIER AND HIS SUCCESSORS IN
INTEREST, UNDER REASONABLE REGULATIONS TO PROTECT THE VALUES OF
THE UNIT OR UNITS."

*Title III, Section 1202
Access*



file *M.D.*
Colletta

10.
BHEM HOME AHC

Jan

BHEM VSH
ATTN SFAAN
FROM BROOKS
DATE DECEMBER 16, 1977

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INTEREST, UNDER REASONABLE REGULATIONS TO PROTECT THE VALUES OF
THE UNIT OR UNITS."

sistent with the purposes for which such unit was established.

Before promulgating regulations under this section, the Secretary shall give at least sixty days public notice of the proposed regulations, including publication of the proposed regulations in a newspaper or newspapers having general circulation in each State judicial district in Alaska where the unit or units affected by the proposed regulations are located, and shall hold a public hearing or hearings concerning the proposed regulations at one or more locations convenient to the unit or units affected.

#239
Committee Print
2/10/78

(c) In any case in which State-owned or privately owned land (including Native land) or a valid mining claim or other valid occupancy is effectively surrounded by public lands within one or more conservation system units, the State or private owner or occupier shall be given by the Secretary such rights as may be necessary to assure adequate access for economic and other purposes to the concerned land by such State or private owner or occupier and their successors in interest. Such rights shall be subject to reasonable regulations issued by the Secretary to protect the values of such unit or units.

ARCHEOLOGICAL AND PALEONTOLOGICAL SITES

SEC. 1203. Notwithstanding any acreage or boundary limitations contained in this Act with respect to the conservation system units described in sections 201 (2), 201 (6), and 201 (10), the Secretary of the Interior may ac-

96TH CONGRESS
1ST SESSION

H. R. 39

IN THE SENATE OF THE UNITED STATES

MAY 24 (legislative day, MAY 21), 1979

Read twice and referred to the Committee on Energy and Natural Resources

AN ACT

To provide for the designation and conservation of certain public lands in the State of Alaska, including the designation of units of the National Park, National Wildlife Refuge, National Forest, National Wild and Scenic Rivers, and National Wilderness Preservation Systems, 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 SHORT TITLE AND TABLE OF CONTENTS

4 SECTION 1. This Act, together with the following table
5 of contents, may be cited as the "Alaska National Interest
6 Lands Conservation Act of 1979".

- Sec. 702. State regulations.
- Sec. 703. Local and regional participation.
- Sec. 704. Administrative provisions.
- Sec. 705. Cooperative agreements.
- Sec. 706. Subsistence and land use decisions.
- Sec. 707. Access.
- Sec. 708. Research.
- Sec. 709. Regulations.
- Sec. 710. Limitations, savings clause.

TITLE VIII—ADMINISTRATIVE AND MISCELLANEOUS PROVISIONS

- Sec. 801. Land acquisitions and exchanges.
- Sec. 802. Access.
- Sec. 803. Scientific and cultural resources.
- Sec. 804. Cooperative information and education centers.
- Sec. 805. Administrative sites and visitor facilities.
- Sec. 806. Revenue-producing visitor services.
- Sec. 807. Local hire.
- Sec. 808. Management plans.
- Sec. 809. Taking of fish and wildlife.
- Sec. 810. Maps.
- Sec. 811. Navigation aids and other facilities.
- Sec. 812. Technical amendments to prior statutes.
- Sec. 813. Scenic highway study.
- Sec. 814. Other laws.
- Sec. 815. Mineral withdrawals and existing claims.
- Sec. 816. Alaska mineral resource assessment program.
- Sec. 817. Wilderness administration.
- Sec. 818. Application only to Alaska.
- Sec. 819. Authorization for appropriation.
- Sec. 820. Congressional review.

TITLE IX—IMPLEMENTATION OF ALASKA NATIVE CLAIMS SETTLEMENT ACT AND ALASKA STATEHOOD ACT

- Sec. 901. Stock alienation.
- Sec. 902. Selection requirements.
- Sec. 903. Retained mineral estate.
- Sec. 904. Vesting date for reconveyances.
- Sec. 905. Reconveyance to municipal corporations.
- Sec. 906. Conveyance of partial estates.
- Sec. 907. Tax moratorium extension.
- Sec. 908. Fire protection.
- Sec. 909. Shareholder homesites.
- Sec. 910. Underselctions.
- Sec. 911. Alaska townsites.
- Sec. 912. Alaska Native allotments.
- Sec. 913. Fiscal year adjustment.
- Sec. 914. Supplemental grants for Native groups.
- Sec. 915. Statute of limitations.
- Sec. 916. Conveyances to Village Corporations.
- Sec. 917. Limitations; future authority.
- Sec. 918. Submerged lands.

Sec. 919. Nana and Cook Inlet Regional Corporations lands.	1	
Sec. 920. Doyon Regional Corporation lands.		
Sec. 921. Hodzana River and Circle areas.	2	
Sec. 922. Doyon and Fortymile River.		
Sec. 923. Ahtna Regional Corporation lands.	3	
Sec. 924. Bering Straits Regional Corporation lands.		
Sec. 925. Eklutna Village Corporation lands.	4	
Sec. 926. Eklutna-State Anchorage Agreement.		
Sec. 927. Koniag Village and Regional Corporation lands.	5	
Sec. 928. Pribilof Islands acquisition authority.		
Sec. 929. Arctic Slope Regional Corporation lands.	6	
Sec. 930. Cook Inlet Village Settlement.		
Sec. 931. State of Alaska selections.	7	
Sec. 932. Chugach Village Corporation lands.		
Sec. 933. Chugach Regional Corporation lands.	8	
Sec. 934. Chugach Region Study.		
Sec. 935. Protraction Diagrams.	9	
TITLE X—TRANSPORTATION AND UTILITY SYSTEMS		
Sec. 1001. Systems subject to title.	10	
Sec. 1002. Applications.		
Sec. 1003. Environmental impact statement.	11	
Sec. 1004. Coordination of right-of-way requirements.		
Sec. 1005. Decision regarding application.	12	
Sec. 1006. Congressional consideration.		
Sec. 1007. Issuance and administration of right-of-way.	13	
TITLE XI—FEDERAL-STATE COORDINATION		
Sec. 1101. Alaska Advisory Coordinating Council.	14	
Sec. 1102. Alaska Land Bank.		
TITLE XII—OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION		
Sec. 1201. Purpose.	15	
Sec. 1202. Areas covered.		
Sec. 1203. Applicable law.	16	
Sec. 1204. Exploration.		
Sec. 1205. Development and production.	17	
Sec. 1206. Period for issuance of permit or lease.		
Sec. 1207. Report.	18	
Sec. 1208. Special provisions for Teshkpuk-Utukok National Wildlife Refuge.		
Sec. 1209. Special provisions for nonwilderness wildlife refuges.	19	
Sec. 1210. Special provisions for Bureau of Land Management lands.		
1	TITLE I—FINDINGS, POLICY, AND DEFINITIONS	20
2	FINDINGS	21
3	SEC. 101. Congress finds and declares that—	22

1 size, compactness, or contiguity, or that the portion of the
2 selection retained immediately outside the conservation
3 system unit does not follow section lines along the boundary
4 of the conservation system unit. The validity of the selection
5 outside such boundary shall not be adversely affected by the
6 relinquishment.

7 ACCESS

8 SEC. 802. (a) SPECIAL ACCESS RIGHTS.—Notwith-
9 standing any other provision of this Act or other law, the
10 Secretary shall permit on conservation system units the use
11 of snowmachines; motorboats; airplanes able to land on snow,
12 ice, water, or land, and nonmotorized surface transportation
13 methods, for traditional activities permitted by this Act or
14 other law, including travel to and from villages and home-
15 sites. Such uses shall be subject to reasonable regulations
16 promulgated by the Secretary in order to protect the natural
17 and other values of the conservation system units. Nothing in
18 this section shall be construed as prohibiting the use of other
19 methods of transportation for such travel and activities on
20 conservation system lands where such use is permitted by
21 this Act or other law.

22 (b) TEMPORARY ACCESS.—(1) Notwithstanding any
23 other provision of this Act or other law, the Secretary shall
24 authorize and permit temporary access by the State or a pri-
25 vate landowner to or across any conservation system unit or

1 those public lands designated as wilderness study or managed
2 to maintain the wilderness character or potential thereof in
3 order to permit the State or private landowner access to its
4 land for purposes of survey, geophysical, exploratory, or
5 other temporary uses of such State or private lands whenever
6 he determines such access will not result in permanent harm
7 to the resources of such unit or public lands.

8 (2) In providing temporary access pursuant to para-
9 graph (1) the Secretary may include such stipulations and
10 conditions he deems necessary to insure that the private use
11 of public lands is accomplished in a manner that is not incon-
12 sistent with the purposes for which the public lands are re-
13 served and which insures that no permanent harm will result
14 to the resources of the unit.

15 (c) ACCESS TO INHOLDINGS.—Notwithstanding any
16 other provision of this Act or other law, in any case in which
17 State owned or privately owned land or a valid mining claim
18 or other valid occupancy is within or is effectively surrounded
19 by one or more conservation system units, or those public
20 lands designated as wilderness study or managed to maintain
21 the wilderness character or potential thereof, the State or
22 private owner or occupier shall be given by the Secretary
23 such rights as may be necessary to assure adequate access
24 for economic and other purposes to the concerned land by
25 such State or private owner or occupier and their successors

1 in interest. Such access shall include, but not be limited to,
 2 the right to surface access across such unit or other public
 3 lands when, and to the extent, reasonably necessary to carry
 4 out such economic and other purposes. Such rights shall be
 5 subject to reasonable regulations issued by the Secretary to
 6 protect the values of the affected public lands.

7 (d) **VALID EXISTING RIGHTS.**—Nothing in this section
 8 shall be construed to adversely affect any valid existing right
 9 of access.

10 (e) **ACCESS TO UNITS.**—The Secretary shall take what-
 11 ever actions may from time to time be necessary to provide
 12 public access to the conservation system units, consistent
 13 with the purposes for which each such unit is established,
 14 designated, redesignated, or expanded, and consistent with
 15 applicable provisions of law.

16 SCIENTIFIC AND CULTURAL RESOURCES

17 **SEC. 803. (a) ARCHEOLOGICAL AND PALEONTOLOGI-**
 18 **CAL SITES.**—Notwithstanding any acreage or boundary limi-
 19 tations contained in this Act with respect to the Cape Kru-
 20 senstern National Park, the Bering Land Bridge National
 21 Preserve, the Yukon-Charley National Preserve, and the
 22 Kobuk Valley National Park, the Secretary may designate
 23 Federal lands or he may acquire by purchase with the con-
 24 sent of the owner, donation, or exchange any significant ar-
 25 cheological or paleontological site in Alaska located outside

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AS A UNIT IN THE ORIGINAL DOCUMENT.**

Leo Mark Anthony
2020 Lake Oke

Cherry

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North Commission }

586-1248 Inc

& Cooper Collette
Armed

(79)

DESK COPY
1-29-79 [initials]

~~Committee Approved~~

FOR SENATOR
COLLETTA

Breakout Bill

[COMMITTEE PRINT]

[APRIL 3, 1979]

[Amendment to H.R. 39, As Reported by the Subcommittee on Fisheries and Wildlife Conservation and the Environment]

Strike out all after the enacting clause and insert the following:

- 1- That this Act may be cited as the "Alaska National Interest
- 2- Lands Conservation Act".

RECEIVED APR 13 1979

TABLE OF CONTENTS

Sec. 1. Short title and table of contents.

TITLE I—FINDINGS, POLICY, AND DEFINITIONS

- Sec. 101. Findings.
- Sec. 102. Policy.
- Sec. 103. Definitions.

TITLE II—NATIONAL PARK SYSTEM

- Sec. 201. Establishment of new areas.
- Sec. 202. Additions to existing areas.
- Sec. 203. Administrative provisions.

TITLE III—NATIONAL WILDLIFE REFUGE SYSTEM

- Sec. 301. Definitions.
- Sec. 302. Purposes of refuges.
- Sec. 303. Administration of refuges.
- Sec. 304. Establishment of refuges.
- Sec. 305. Cooperative management agreements.
- Sec. 306. Bristol Bay Cooperative Region.
- Sec. 307. Mining within refuges.
- Sec. 308. Mineral leasing within refuges.
- Sec. 309. Arctic National Wildlife Refuge Coastal Plain Resource Assessment.
- Sec. 310. Petroleum carbon limit.
- Sec. 311. Miscellaneous provisions.

TITLE IV—NATIONAL FOREST SYSTEM

- Sec. 401. Additions to national forests.
- Sec. 402. Seward National Recreation Area.

Breaux Bill - as passed by
Subcommittee

~~Title IX~~
207

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17 **ACCESS TO INHOLDINGS**
18 **SEC. 909. Notwithstanding any other provisions of this**
19 **Act or other law, in any case in which State owned or pri-**
20 **vately owned land or a valid mining claim or other valid oc-**
21 **cupancy is within or is effectively surrounded by one or more**
22 **conservation system units, national recreation areas, national**
23 **conservation areas, or those public lands designated as wil-**
24 **derness study or managed to maintain the wilderness charac-**
25 **ter or potential thereof, the State or private owner or occu-**

208

1 pier shall be given by the Secretary such rights as may be
2 necessary to assure adequate and economically feasible
3 access for economic and other purposes to the concerned land
4 by such State or private owner or occupier and their succes-
5 sors in interest. Such rights shall be subject to reasonable
6 regulations issued by the Secretary to protect the values of
7 such lands.

8 **NORTH SLOPE HAUL ROAD**

9 **SEC. 910. (s) IN GENERAL.**—So long as that section of

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U.S. HOUSE OF REPRESENTATIVES
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MINORITY COUNSEL

November 8, 1977

State Senator Mike Colletta
Box 3188
Anchorage, Alaska 99501

Dear Mike:

It may well be that you have already received a copy of the revised version of H.R. 39 which the Subcommittee has adopted for markup purposes. However, on the possibility that you may not have received a copy, I am enclosing one with this letter.

While the Committee print will undoubtedly be further revised in the Subcommittee, it is an effort to eliminate as many areas as possible as to which there is no significant controversy. In particular, you will note that it covers all of the four general areas which, according to the Anchorage Daily News article of October 12, your council will concentrate on preparing your advertising campaign. Specifically these are:


- No revocation of state land selections.
- Speedy ^{availability} ~~evaluation~~ of land selected by Alaskan Natives.
- Continued protection of subsistence life styles.
- Protection of access to and through areas withdrawn by Congress.

While we believe that the Committee print represents substantial progress in these and other areas, we are hoping to have any ideas and suggestions that you may have so that, if possible, we can incorporate them in the markup process. Our Subcommittee markup is presently scheduled to start November 28, and will undoubtedly go on for some days before we are ready to send a bill to the full Committee.

State Senator Mike Colletta
November 8, 1977
Page 2.

Please feel free to communicate with me and the Subcommittee staff at any time with respect to any questions or comments you may have.

Sincerely,


JOHN F. SEIBERLING
Chairman, Subcommittee on
General Oversight & Alaska Lands

Enclosure

Basically last years ad hoc comp.

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MAR 13 1979

**STEERING COUNCIL
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**96TH CONGRESS
1ST SESSION**

H. R. 2199

To designate certain lands in the State of Alaska as units of the National Park, National Wildlife Refuge, Wild and Scenic Rivers and National Wilderness Preservation System, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 15, 1979

Mr. HUCKABY introduced the following bill; which was referred jointly to the Committees on Interior and Insular Affairs and Merchant Marine and Fisheries

A BILL

To designate certain lands in the State of Alaska as units of the National Park, National Wildlife Refuge, Wild and Scenic Rivers and National Wilderness Preservation System, 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 Conservation Act"*

1 that no permanent harm will result to the resources of the
2 unit.

3 ACCESS TO INHOLDINGS

4 SEC. 907. Notwithstanding any other provision of this
5 Act or other law in any case in which State owned or pri-
6 vately owned land or a valid mining claim or other valid oc-
7 cupancy is within one or more conservation system units,
8 National Recreation Areas, National Conservation Areas,
9 the National Petroleum Reserve in Alaska, or those public
10 lands designated as wilderness study or managed to maintain
11 the wilderness character or potential thereof, the State or
12 private owner or occupier shall be given by the Secretary
13 such rights as may be necessary to assure adequate access
14 for economic and other purposes to the concerned land by
15 such State or private owner or occupier and their successors
16 in interest. Such rights shall be subject to reasonable regula-
17 tions issued by the Secretary to protect the values of such
18 lands.

19 NORTH SLOPE HAUL ROAD

20 SEC. 908. (a) IN GENERAL.—So long as that section of
21 the North Slope Haul Road referred to in subsection (c) is
22 closed to public use, but not including regulated local traffic
23 north of the Yukon River, regulated industrial traffic and reg-
24 ulated high occupancy buses, such regulation to occur under
25 State law, except that the Secretary, after consultation with

95TH CONGRESS
2D SESSION

H. R. 39

IN THE SENATE OF THE UNITED STATES

MAY 23 (legislative day, MAY 17), 1978

Received

AN ACT

To designate certain lands in the State of Alaska as units of the National Park, National Wildlife Refuge, National Wild and Scenic Rivers, and National Wilderness Preservation Systems, 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 SHORT TITLE AND TABLE OF CONTENTS

4 SECTION 1. This Act, together with the following table
5 of contents, may be cited as the "Alaska National Interest
6 Lands Conservation Act".

Combs

Passed House

TABLE OF CONTENTS

Sec. 1. Short title and table of contents.

TITLE I—FINDINGS, POLICY, AND DEFINITIONS

- Sec. 101. Findings.
- Sec. 102. Policy.
- Sec. 103. Definitions.

TITLE II—NATIONAL PARK SYSTEM

- Sec. 201. Establishment of new areas.
- Sec. 202. Additions to existing areas.
- Sec. 203. Administrative provisions.

TITLE III—NATIONAL WILDLIFE REFUGE SYSTEM

- Sec. 301. Definitions.
- Sec. 302. Purposes of refuges.
- Sec. 303. Administration of refuges.
- Sec. 304. Establishment of refuges.
- Sec. 305. Cooperative management agreements.
- Sec. 306. Bristol Bay Cooperative region.
- Sec. 307. Barren Ground Caribou Study.
- Sec. 308. Miscellaneous provisions.

TITLE IV—NATIONAL FOREST SYSTEM

- Sec. 401. Additions to national forests.

TITLE V—NATIONAL WILD AND SCENIC RIVERS SYSTEM

- Sec. 501. Additions to the National Wild and Scenic Rivers System.
- Sec. 502. Potential additions.
- Sec. 503. Administrative provisions.
- Sec. 504. Wulik River.

TITLE VI—DESIGNATION OF WILDERNESS AND WILDERNESS STUDY WITHIN UNITS OR ADDITIONS TO UNITS OF THE NATIONAL PARK, NATIONAL WILDLIFE REFUGE, AND NATIONAL FOREST SYSTEMS

- Sec. 601. Findings and purposes.
- Sec. 602. Designation of wilderness within the National Park System.
- Sec. 603. Designation of wilderness study within units of the National Park System.
- Sec. 604. Designation of wilderness within the National Wildlife Refuge System.
- Sec. 605. Wilderness reviews within conservation system units other than National Park System units.
- Sec. 606. Designation of wilderness within the National Forest System.
- Sec. 607. Special provisions.
- Sec. 608. Administration.
- Sec. 609. Acquisition authority.

TABLE OF CONTENTS—Continued

TITLE VII—SUBSISTENCE

- Sec. 701. Findings.
- Sec. 702. Policy.
- Sec. 703. Definition.
- Sec. 704. State regulation.
- Sec. 705. Enforcement duties of the Secretary.
- Sec. 706. Cooperative arrangements.
- Sec. 707. Subsistence and land use decisions.
- Sec. 708. Access.
- Sec. 709. Snowmobiles and motorboats.
- Sec. 710. Research.
- Sec. 711. Periodic reports.
- Sec. 712. Regulations.
- Sec. 713. Other laws.
- Sec. 714. Limitations.
- Sec. 715. Reimbursement to the State.

TITLE VIII—IMPLEMENTATION OF ALASKA NATIVE
CLAIMS SETTLEMENT ACT AND ALASKA STATE-
HOOD ACT

- Sec. 801. Conveyances to village corporations.
- Sec. 802. Other conveyances to Native Corporations.
- Sec. 803. Administrative provisions.
- Sec. 804. Tax moratorium extension.
- Sec. 805. State selections and conveyances.
- Sec. 806. Alaska Native Land Bank.
- Sec. 807. Protection of Native Lands in contingency areas under timber sales.
- Sec. 808. Use of protraction surveys.
- Sec. 809. Action to enforce; jurisdiction.
- Sec. 810. National Environmental Policy Act.
- Sec. 811. Technical amendments to Public Law 94-204.

TITLE IX—TRANSPORTATION AND UTILITY SYSTEMS ON
CONSERVATION SYSTEM UNITS

- Sec. 901. Purposes.
- Sec. 902. Use permits under existing authorities.
- Sec. 903. Use permits under new authority.
- Sec. 904. Coordination of right-of-way requirements.
- Sec. 905. Congressional approval procedure.
- Sec. 906. Issuance of permits.

TITLE X—COORDINATION

- Sec. 1001. Alaska Advisory Coordinating Council.
- Sec. 1002. Functions of the council.
- Sec. 1003. Cooperative agreements.
- Sec. 1004. Termination.

TABLE OF CONTENTS—Continued

	TITLE XI—ADMINISTRATIVE PROVISIONS	1
	Sec. 1101. Land acquisitions and exchanges.	2
	Sec. 1102. Access.	
	Sec. 1103. Archeological and paleontological sites.	3
	Sec. 1104. Cooperative information centers.	
	Sec. 1105. Administrative sites and visitor facilities.	4
	Sec. 1106. Revenue-producing visitor services.	
	Sec. 1107. Local hire.	5
	Sec. 1108. Management plans.	
	Sec. 1109. Taking of fish and wildlife.	6
	Sec. 1110. Maps.	
	Sec. 1111. Major Federal actions.	7
	Sec. 1112. Congressional review.	
	TITLE XII—MISCELLANEOUS	8
	Sec. 1201. Iditarod National Historic Trail.	
	Sec. 1202. Klondike Gold Rush National Historical Park.	9
	Sec. 1203. Navigation aids and other facilities.	
	Sec. 1204. Amendments to Naval Petroleum Reserves Production Act of 1976.	10
	Sec. 1205. Withdrawals; mineral rights.	
	Sec. 1206. Scenic highway study.	11
	Sec. 1207. Bureau of Land Management Land Reviews.	
	Sec. 1208. Alaska Natural Gas Transportation Act.	12
	Sec. 1209. Authorization for appropriation.	13
	TITLE XIII—MINERALS ASSESSMENTS, EXPLORATION, DEVELOPMENT, AND EXTRACTION ON CONSERVATION SYSTEM UNITS	14
	Sec. 1301. Purposes.	15
	Sec. 1302. Continuation of mineral assessment programs in Alaska.	
	Sec. 1303. Presidential report.	16
1	TITLE I—FINDINGS, POLICY, AND DEFINITIONS	17
2	FINDINGS	18
3	SEC. 101. Congress finds and declares that—	19
4	(1) through passage of the Alaska Statehood Act	20
5	and the Alaska Native Claims Settlement Act, the Con-	21
6	gress established policies for the disposition of the public	22
7	lands in Alaska and provided for future economic, social,	23
8	and cultural development in Alaska and for the fair and	24
9	just settlement of claims of Natives and Native groups	25
		26

1 conservation system units in Alaska, the Secretary shall
2 permit the continuation of customary patterns and modes of
3 travel across such units. Such travel may be conditioned by
4 such reasonable regulations as the Secretary shall promulgate
5 to assure that such travel is consistent with the purposes for
6 which such unit was established. Before promulgating regu-
7 lations under this section, the Secretary shall give at least
8 sixty days public notice of the proposed regulations, includ-
9 ing publication of the proposed regulations in a newspaper
10 or newspapers having general circulation in each State judi-
11 cial district in Alaska where the unit or units affected by the
12 proposed regulations are located, and shall hold a public
13 hearing or hearings concerning the proposed regulations at
14 one or more locations convenient to the unit or units affected.

15 (c) **SPECIAL ACCESS RIGHTS.**—In any case in which
16 State owned or privately owned land (including Native
17 land) or a valid mining claim or other valid occupancy is
18 effectively surrounded by public lands within one or more
19 conservation system units, the State or private owner or
20 occupier shall be given by the Secretary such rights as may
21 be necessary to assure adequate access for economic and
22 other purposes to the concerned land by such State or pri-
23 vate owner or occupier and their successors in interest. Such
24 rights shall be subject to reasonable regulations issued by
25 the Secretary to protect the values of such unit or units.

DESIGNATING CERTAIN LANDS IN THE STATE
OF ALASKA AS UNITS OF THE NATIONAL PARK,
NATIONAL WILDLIFE REFUGE, NATIONAL WILD
AND SCENIC RIVERS, AND NATIONAL WILDER-
NESS PRESERVATION SYSTEMS, AND FOR OTHER
PURPOSES

REPORT

OF THE

COMMITTEE ON ENERGY
AND NATURAL RESOURCES
UNITED STATES SENATE

together with

MINORITY, ADDITIONAL, AND SUPPLEMENTAL
VIEWS

TO ACCOMPANY

H.R. 39



OCTOBER 9 (legislative day, SEPTEMBER 28), 1978.—Ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

(c) In the case of a pipeline described in section 28(a) of the Mineral Leasing Act of 1920, a right-of-way issued pursuant to this title shall be issued in the same manner as a right-of-way is granted under section 28, and the provisions of subsection (c) through (j), (l) through (q), and (u) through (y) of such section 28 shall apply to rights-of-way issued pursuant to this title.

RIGHTS-OF-WAY STUDY

Sec. 1105. Except for rights-of-way subject to section 1103(h), no right-of-way shall be issued pursuant to this title after years from the date of enactment of this provision unless the need for such right-of-way has been identified in a study of the regional requirements for rights-of-way for transportation and utility systems which—

- (1) has been conducted by the State in consultation with the Secretaries of Transportation, the Interior, and Agriculture and the Alaska Land Use Council;
- (2) is updated in a similar manner no less than biennially; and
- (3) includes the considerations set forth in section 1103(f)(1)(B) through (I).

SPECIAL ACCESS RIGHTS

Sec. 1106. Notwithstanding any other provision of this Act or other law, the Secretary shall permit on conservation system units National Recreation Areas, National Conservation Areas and the National Petroleum Reserve—Alaska, for traditional activities, where such activities are permitted by this Act or other law, and for travel to and from villages and homesites the use of snowmachines; motorboats; airplanes which may land on snow, ice or water, or on designated sites; and nonmotorized surface transportation methods. Such use shall be subject to reasonable regulations by the Secretary to protect the values of the conservation system units, or National Conservation Areas and shall not be prohibited unless, after notice and hearing in the vicinity of the affected unit or area, the Secretary finds that such use would be detrimental to the resource values of the unit. Nothing in this section shall be construed as prohibiting the use of other methods of transportation for such travel and activities on conservation system lands where such use is permitted by this Act or other law.

TEMPORARY ACCESS

Sec. 1107. (a) Notwithstanding any other provision of this Act or other law the Secretary shall authorize and permit temporary access by the State or a private landowner to or across any conservation system unit, National Recreation Area, National Conservation Area, the National Petroleum Reserve—Alaska or those public lands designated as wilderness study or managed to maintain the wilderness character or potential thereof in order to permit the State or private landowner access to its land for purposes of survey, geophysical, exploratory, or other temporary uses thereof whenever he determines such access will not result in permanent harm to the resources of such unit.

(b) In providing temporary access pursuant to subsection (a), the Secretary may include such stipulations and conditions he deems necessary to insure that the private use of public lands is accomplished in a manner that is not inconsistent with the purposes for which the public lands are reserved and which insures that no permanent harm will result to the resources of the unit.

ACCESS TO INHOLDINGS

Sec. 1108. Notwithstanding any other provision of this Act or other law in any case in which State owned or privately owned land or a valid mining claim or other valid occupancy is within one or more conservation system units, National Recreation Area, National Conservation Area, the National Petroleum Reserve in Alaska, or those public lands designated as wilderness study or managed to maintain the wilderness character or potential thereof, the State or private owner or occupier shall be given by the Secretary such rights as may be necessary to assure adequate access for economic and other purposes to the concerned land by such State or private owner or occupier and their successors in interest.

Such rights shall be subject to reasonable regulations issued by the Secretary to protect the values of such lands.

NORTH SLOPE HAUL ROAD

Sec. 1108. (a) So long as that section of the North Slope Haul Road referred to in subsection (c) is closed to public use, but not including regulated local traffic north of the Yukon River, regulated industrial traffic and regulated high occupancy buses, such regulation to occur under State law, except that the Secretary, after consultation with the Secretary of Transportation, and the Governor of Alaska shall agree on the number of vehicles and seasonality of use, such section shall be free from any and all restrictions contained in title 23, United States Code, as amended or supplemented, or in any regulations thereunder. The State of Alaska shall have the authority to limit access, impose restrictions and impose tools, notwithstanding any provision of Federal law.

(b) The removal of restrictions shall not be conditioned upon repayment by the State of Alaska to the Treasurer of the United States of any Federal-aid highway funds paid on account of the section of highway described in subsection (c), and the obligation of the State of Alaska to repay these amounts is hereby released so long as the road remains closed as set forth in subsection (a).

(c) The provisions of this section shall apply to that section of the North Slope Haul Road, which extends from the southern terminus of the Yukon River Bridge to the northern terminus of the Road at Prudhoe Bay.

VALID EXISTING RIGHTS

Sec. 1110. Nothing in this title shall be construed to adversely affect any valid existing right of access.

TITLE XII—FEDERAL-STATE COOPERATION

ALASKA LAND USE COUNCIL

Sec. 1201. (a) ESTABLISHMENT.—There is hereby established the Alaska Land Use Council (hereinafter in this title referred to as the "Council").

(b) COCHAIRMEN.—The Council shall have Cochairmen. The Federal Cochairman shall be appointed by the President of the United States with the advice and consent of the Senate. The State Cochairman shall be the Governor of Alaska.

(c) MEMBERS.—In addition to the Cochairmen, the Council shall consist of the following members:

(1) the head of the Alaska offices of each of the following Federal agencies: National Park Service, United States Fish and Wildlife Service, United States Forest Service, Bureau of Land Management, Heritage Conservation and Recreation Service, National Oceanic and Atmospheric Administration, and Department of Transportation; and

(2) the Commissioners of the Alaska Departments of Natural Resources, Fish and Game, Environmental Conservation, Transportation, and Community and Regional Affairs.

"Any vacancy on the Council shall be filled in the same manner in which the original appointment was made.

(d) STATE DECISION NOT TO PARTICIPATE.—If the State elects not to participate on the Council or elects to end its participation prior to termination of the Council, the Council shall be composed of the Federal Cochairman and the agencies referred to in subsection (c) (1). The Council, so composed, shall carry out the administrative functions required by this title and shall make recommendations to Federal officials with respect to the matters referred to in subsections (i) and (j). In addition, the Council may make recommendations from time to time to State officials and private landowners concerning such matters.

(e) COMPENSATION AND EXPENSES.—

(1) The Federal Cochairman shall be compensated at a rate to be determined by the President but not in excess of that provided for level IV of the Executive Schedule contained in title V, United States Code.

(2) The other members of the Council who are Federal employees shall receive no additional compensation for service on the Council.

(3) While away from their homes or regular places of business in the performance of services for the Council, members of the Council who are Fed-

eral employees shall be allowed travel expenses, in subsistence, in the same manner as persons employed by the Government service are allowed expenses under the United States Code.

(4) The State Cochairman and other State members shall be compensated in accordance with applicable State law.

(f) ADMINISTRATIVE AUTHORITY.—

(1) The Cochairmen, acting jointly, shall have authority to abolish employments and positions, including to fix and provide for the qualifications, compensation, pension, and retirement rights of employees; to procure needed office space, supplies, and equipment.

(2) The office of the Council shall be located in Alaska.

(3) Except as provided in subsection (d), with the Federal Government shall pay only 50 per centum of the salaries, benefits, and other expenses of the Council in carrying out its duties under this Act.

(4) The Council is authorized to use, with the Federal Government, equipment, personnel, and facilities of Federal agencies without reimbursement. Each department and agency is authorized and directed to cooperate fully with the Council in accordance with the provisions detailed to the Council in accordance with the provisions of this Act shall be under the direction of the Cochairman and shall be so detailed.

(5) The Council is authorized to accept donations and to utilize such donations, gifts, and contributions under this Act.

(6) The Council shall keep and maintain complete records of its activities and transactions, and such accounts shall be available for public inspection.

(g) MEETINGS; AUTHORITIES; REPORTS.—The Council shall meet at least four times each year, and the Cochairmen, but not less than four times each year, for the purpose of carrying out the provisions of this title. The Council shall, at its hearings, take such testimony, receive such evidence, and produce and distribute reports concerning so much of its business as the Council deems advisable. No later than February 1 of each calendar year in which the Council is established, the Council shall submit to the President, the Congress, the Governor of Alaska, and the people of Alaska, in writing, a report on the activities of the Council together with their recommendations, if any, for the furtherance of the purposes of this section.

(h) RULES.—The Council shall adopt such internal rules as it deems necessary. All Council meetings shall be open to the public. The Cochairmen shall publish public notice of such meetings and in newspapers of general circulation in various States and Territories.

(i) FUNCTIONS OF THE COUNCIL.—

(1) The Council shall conduct studies and advisory reports to the Secretary of Agriculture, other Federal agencies, the States, and Native Corporations with respect to ongoing, planned, and potential uses in Alaska, including transportation, fish and wildlife management, tourism, coastal zone management, preservation of cultural resources, and such other matters as may be submitted for its consideration.

(2) It shall be the function of the Council—

(A) to make recommendations to appropriate agencies of the United States and the State of Alaska to improve coordination and consultation in wildlife management, transportation planning, and other governmental activities which appear to require wide coordination;

(B) to make recommendations to appropriate agencies of the United States and the State of Alaska to insure that economic development is ordered in a manner consistent with the purposes of this title.

authority to close entirely to these uses certain areas within the units upon his determination after notice and a hearing that such closure is necessary to protect the values of that unit.

Section 1107: Temporary Access

Temporary access is specifically provided for to state and private lands over conservation system units, NRA's, National Conservation Areas, the National Petroleum Reserve, and the public lands designated as wilderness study areas or managed to maintain wilderness character for survey, geophysical, exploratory or other temporary uses where the Secretary determines that no permanent harm to the resources of the unit will result from the access. The state or private landowners could obtain this access even if alternative access routes are available to them. The Secretary may place conditions on such access to ensure that the private use is in such a manner that it is not inconsistent with the purposes for which the public lands are reserved and to ensure no permanent harm will result to the resources of the unit.

This section is intended to authorize only temporary, short-term access, requiring no permanent facilities, to undeveloped State or private lands. It allows only very limited access, and not successive entries, or access on a regular basis, even if no permanent facilities are required. The private use access on which the Secretary is authorized to include stipulations and conditions includes state use, since it is intended to include all access uses but Federal use.

Section 1108: Access to Inholdings

"Adequate access for economic and other purposes" to all inholdings (including "valid occupancy") within conservation system units, the National Petroleum Reserve in Alaska and wilderness study areas and those public lands managed to maintain the wilderness character thereof is specifically provided for.

Section 1109: North Slope Haul Road

All restrictions contained in Title 23 of the United States Code are removed from the section of the North Slope Haul Road specified as long as the state keeps the road closed to the public under the terms of this section. The State of Alaska's obligation to repay to the United States any Federal-aid highway funds paid on account of this section of the Haul Road is released.

Section 1110: Valid Existing Rights

Any valid existing right of access is not adversely affected by this title.

TITLE XII—FEDERAL-STATE COOPERATION

Section 1201: Alaska Land Use Council

Subsection (a), (b), and (c) establishes a 14-member Alaska Land Use Council, comprising a Federal Co-Chairman, appointed by the President and confirmed by the Senate, a State Co-Chairman who shall be the Governor of Alaska, the head of the Alaska offices of the Federal National Park Service, Fish and Wildlife Service, Forest Service, Bureau of Land Management, Heritage Conservation and Recreation Service, National Oceanic and Atmospheric Administration, and Department of Transportation, and the Commissioners of the Alaska Departments of Natural Resources, Fish and Game, Environmental Conservation, Transportation, and Community and Regional Affairs.

Subsection (d) provides for compensation for man and travel expenses for Federal members. compensated in accordance with applicable State

Subsection (e) authorizes the Co-Chairmen, care staff, supplies, and equipment; provides Council shall be located in Alaska; limits Federal Council to 50 percent in any fiscal year; author with their consent, services, equipment, perma Federal and other agencies; authorizes the Cou gifts, and contributions; and requires the Coun records.

Subsection (f) requires the Council to meet Chairman, but not less than 6 times each year to hold hearings, take testimony, and print r Chairman to submit a report of each meeting. ary of the Interior, the head of each Region Committee on Interior and Insular Affairs of mittee on Energy and Natural Resources of th of each year the Co-Chairmen are required to an annual report, together with recommend furtherance of the purposes of this section.

Subsection (g) provides for the adoption o dure, open meetings, and advance public no

Subsection (h) sets forth functions of t studies and advise the Secretary of the Interio the State local governments, and Native Con land and resource uses in Alaska. Specific fun

(A) Review resource inventories and pared by Federal and State managing Geological Survey and the Bureau of Mi

(B) Make recommendations with re coordination and consultation between I ments;

(C) Make recommendations with orderly economic development;

(D) Make recommendations with r policies, and programs relating to pub

(E) Make recommendations with planning, classification, management, State lands, and provide such assistan upon request;

(F) Make recommendations with existing withdrawals of Federal and S

(G) Make recommendations with budgets of Federal and State public l and

(H) Make recommendations with r

Subsection (i) directs the Council to re ning and management zones; authorizes a bers to enter into cooperative agreements w agencies and Native corporations providi review, and coordination within such r agency does not accept a Council recomme to promptly inform the Council of its reas

Authorizes the Secretary to provide t to landowner with respect to fire control,

MIKE GRAVEL
ALASKA

(2)(2)

United States Senate

WASHINGTON, D.C. 20510

December 1, 1978

Senator Mike Colletta
Box 3188
Anchorage, Alaska 99510

Dear Mike:

Enclosed is a copy of the so-called "com-
promise bill" that was negotiated during the
final days of the session.

Sure would appreciate any comments on
any provisions of the bill.

Warm regards.

Sincerely,



Mike Gravel

Purpose:

Calendar No. 1215

To designate certain lands in the State of Alaska as units of the National Park, National Wildlife Refuge, National Wild and Scenic Rivers and National Wilderness Preservation Systems, and for other purposes.

Amdt. No. 4742

95TH CONGRESS
2D SESSION

H. R. 39

IN THE SENATE OF THE UNITED STATES

OCTOBER 15 (legislative day, OCTOBER 11), 1978

Ordered to lie on the table and to be printed

AMENDMENT

Intended to be proposed by Mr. GRAVEL to H.R. 39, an Act to designate certain lands in the State of Alaska as units of the National Park, National Wildlife Refuge, National Wild and Scenic Rivers and National Wilderness Preservation Systems, and for other purposes, viz: Strike out all after the enacting clause and insert the following:

- 1 SHORT TITLE AND TABLE OF CONTENTS
- 2 SECTION 1. This Act, together with the following table
- 3 of contents, may be cited as the "Alaska National Interest
- 4 Lands Conservation Act".

1 thereof whenever he determines such access will not result in
2 permanent harm to the resources of such unit.

3 (b) STIPULATIONS AND CONDITIONS.—In providing
4 temporary access pursuant to subsection (a), the Secretary
5 may include such stipulations and conditions he deems neces-
6 sary to insure that the private use of public lands is accom-
7 plished in a manner that is not inconsistent with the purposes
8 for which the public lands are reserved and which insures
9 that no permanent harm will result to the resources of the
10 unit.

11 ACCESS TO INHOLDINGS

12 SEC. 907. Notwithstanding any other provision of this
13 Act or other law in any case in which State owned or pri-
14 vately owned land or a valid mining claim or other valid oc-
15 cupancy is within one or more conservation system units,
16 National Recreation Areas, National Conservation Areas,
17 the National Petroleum Reserve in Alaska, or those public
18 lands designated as wilderness study or managed to maintain
19 the wilderness character or potential thereof, the State or
20 private owner or occupier shall be given by the Secretary
21 such rights as may be necessary to assure adequate access
22 for economic and other purposes to the concerned land by
23 such State or private owner or occupier and their successors
24 in interest. Such rights shall be subject to reasonable regula-

1 tions issued by the Secretary to protect the values of such
2 lands.

3 NORTH SLOPE HAUL ROAD

4 SEC. 908. (a) IN GENERAL.—So long as that section of
5 the North Slope Haul Road referred to in subsection (c) is
6 closed to public use, but not including regulated local traffic
7 north of the Yukon River, regulated industrial traffic and reg-
8 ulated high occupancy buses, such regulation to occur under
9 State law, except that the Secretary, after consultation with
10 the Secretary of Transportation, and the Governor of Alaska
11 shall agree on the number of vehicles and seasonality of use,
12 such section shall be free from any and all restrictions con-
13 tained in title 23, United States Code, as amended or supple-
14 mented, or in any regulations thereunder. The State of
15 Alaska shall have the authority to limit access, impose re-
16 strictions and impose tolls, notwithstanding any provision of
17 Federal law.

18 (b) RELEASE.—The removal of restrictions shall not be
19 conditioned upon repayment by the State of Alaska to the
20 Treasurer of the United States of any Federal-aid highway
21 funds paid on account of the section of highway described in
22 subsection (c), and the obligation of the State of Alaska to
23 repay these amounts is hereby released so long as the road
24 remains closed as set forth in subsection (a).

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RECEIVED

JAN 31 1979

STEERING COUNCIL
FOR ALASKA LANDS

96TH CONGRESS
1ST SESSION

H. R. 39

To provide for the designation and conservation of certain public lands in the State of Alaska, including the designation of units of the National Park, National Wildlife Refuge, National Forest, National Wild and Scenic Rivers, and National Wilderness Preservation Systems, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 15, 1979

Mr. UDALL (for himself, Mr. SIBERLING, Mr. PHILLIP BURTON, Mr. BRADEN, Mr. STUDDS, Mr. FISH, Mr. PATTERSON, Mr. RANGEL, Mr. BRINKLEY, Mr. CONTE, Mr. VENTO, Mr. KOSTMAYER, Mr. SIMON, Mr. RODINO, Mr. WEAVER, Mr. HUGHES, Mr. CABE, Mrs. SPELLMAN, Mr. GUDGER, Mr. BONKER, Mr. PATEN, Mr. DAVIS of South Carolina, Mr. BARNES, Mr. WIETH, Mr. DANIELSON, Mr. BOLAND, Mr. MOAKLEY, Mr. GREEN, Mr. BEILSON, Mr. CORBADA, Mr. CONYERS, Mr. HOWARD, Mr. MIKVA, Mr. CORMAN, Mr. VANIK, Mr. BRODHEAD, Mr. MINETA, Mr. WAXMAN, Mr. BINGHAM, Mr. FOWLER, Mr. REUSS, Mr. VAN DEERLIN, Mr. HARKIN, Mr. ASPIN, Mr. ROSENTHAL, Mr. LEHMAN, Mr. MARKEY, Mr. DERRICK, Mr. HAWKINS, Mr. KILDEE, Mr. DELLUMS, Mr. ROE, Mr. DRINAN, Mr. BLANCHARD, Mr. FISHER, Mr. EDWARDS of California, Mr. HARRIS, Mr. KASTENMEIER, Mr. LONG of Maryland, Mr. MAGUIRE, Mr. DOWNEY, Mr. WALOREN, Mr. PEASE, Mr. OTTINGER, Mr. RICHMOND, Mr. MOTT, Mr. MOORHEAD of Pennsylvania, Mr. EDGAR, Mr. GLICKMAN, Mr. SABO, Mr. JEFFORDS, Mr. GARCIA, Mr. HALL of Ohio, Mr. SCHEUER, Mr. BONIOR, Mr. MITCHELL of Maryland, Mr. WOLFF, Mr. HOLLENBECK, Mr. TRAXLER, Mr. PANETTA, Mr. JENNETTE, Mr. FLORIO, Mr. ANDREWS of North Carolina, Mr. GEPHARDT, Mr. FASCELL, Mr. DUNCAN of Tennessee, Mrs. SCHROEDER, Mr. GRADISON, Mr. JOHN BURTON, Mrs. FENWICK, and Mrs. BYRON) introduced the following bill: which was referred to the Committee on Interior and Insular Affairs and to the Committee on Merchant Marine and Fisheries for a period ending not later than March 19, 1979

1 pursuant to this subsection shall not invalidate an otherwise
2 valid State or Native Corporation land selection outside the
3 boundaries of the conservation system unit on the grounds
4 that, after such relinquishment, the remaining portion of the
5 land selection no longer meets applicable requirements of
6 size, compactness, or contiguity, or that the portion of the
7 selection retained immediately outside the conservation
8 system unit does not follow section lines along the boundary
9 of the conservation system unit. The validity of the selection
10 outside such boundary shall not be adversely affected by the
11 relinquishment.

12 ACCESS

13 SEC. 802. (a) SPECIAL ACCESS RIGHTS.—Notwith-
14 standing any other provision of this Act or other law, the
15 Secretary may permit on conservation system units the use
16 of snowmachines; motorboats; airplanes able to land on snow,
17 ice, water, or designated sites; and nonmotorized surface
18 transportation methods, for traditional activities permitted by
19 this Act or other law, including travel to and from villages
20 and homesites. Such uses shall be subject to reasonable regu-
21 lations promulgated by the Secretary in order to protect the
22 natural and other values of the conservation system units.
23 Nothing in this section shall be construed as prohibiting the
24 use of other methods of transportation for such travel and

1 activities on conservation system lands where such use is
2 permitted by this Act or other law.

3 (b) **TEMPORARY ACCESS.**—(1) Notwithstanding any
4 other provision of this Act or other law, the Secretary shall
5 authorize and permit temporary access by the State or a pri-
6 vate landowner to or across any conservation system unit,
7 the National Petroleum Reserve—Alaska or those public
8 lands designated as wilderness study or managed to maintain
9 the wilderness character or potential thereof in order to
10 permit the State or private landowner access to its land for
11 purposes of survey, geophysical, exploratory, or other tempo-
12 rary uses of such State or private lands whenever he deter-
13 mines such access will not result in permanent harm to the
14 resources of such unit, Petroleum Reserve, or public lands.

15 (2) In providing temporary access pursuant to para-
16 graph (1) the Secretary may include such stipulations and
17 conditions he deems necessary to insure that the private use
18 of public lands is accomplished in a manner that is not incon-
19 sistent with the purposes for which the public lands are re-
20 served and which insures that no permanent harm will result
21 to the resources of the unit.

22 (c) **ACCESS TO INTERESTS.**—Notwithstanding any
23 other provision of this Act or other law, in any case in which
24 State owned or privately owned land or a valid mining claim
25 or other valid occupancy is entirely within one or more con-

1 **ervation system units or the National Petroleum Reserve in**
2 **Alaska, the State or private owner or occupier shall be given**
3 **by the Secretary such rights as may be necessary to assure**
4 **adequate access for economic and other purposes to the con-**
5 **cerned land by such State or private owner or occupier and**
6 **their successors in interest. Such rights shall be subject to**
7 **reasonable regulations issued by the Secretary to protect the**
8 **values of the affected public lands.**

9 (d) **NORTH SLOPE HAUL ROAD.**—(1) That section of
10 the North Slope Haul Road referred to in paragraph (3) of
11 this subsection shall be free from any and all restrictions con-
12 tained in title 23, United States Code, as amended or supple-
13 mented, or any regulations thereunder, so long as such sec-
14 tion of road remains closed to public use other than regulated
15 local traffic north of the Yukon River, regulated industrial
16 traffic, and regulated high-occupancy buses (such regulation
17 to occur under State law except that the Secretary, after
18 consultation with the Secretary of Transportation, shall
19 agree with the Governor of Alaska on the number of vehicles
20 and seasonability of use to be permitted on such section of
21 road).

22 (2) The removal of restrictions shall not be conditioned
23 upon repayment by the State of Alaska to the Treasurer of
24 the United States of any Federal-aid highway funds paid on
25 account of the section of highway described in paragraph (3),

1 and the obligation of the State of Alaska to repay these
2 amounts is hereby released so long as the road remains
3 closed as set forth in paragraph (1).

4 (3) The provisions of this section shall apply to that sec-
5 tion of the North Slope Haul Road, which extends from the
6 southern terminus of the Yukon River Bridge to the northern
7 terminus of the road at Prudhoe Bay.

8 (e) **VALID EXISTING RIGHTS.**—Nothing in this section
9 shall be construed to adversely affect any valid existing right
10 of access.

11 **SCIENTIFIC AND CULTURAL RESOURCES**

12 **SEC. 803. (a) ARCHEOLOGICAL AND PALEONTOLOGI-**
13 **CAL SITES.**—Notwithstanding any acreage or boundary limi-
14 tations contained in this Act with respect to the Cape Kru-
15 senstern National Park, the Bering Land Bridge National
16 Park, the Yukon-Charley Rivers National Park, and the
17 Kobuk Valley National Park, the Secretary may designate
18 Federal lands or he may acquire by purchase with the con-
19 sent of the owner, donation, or exchange any significant ar-
20 cheological or paleontological site in Alaska located outside
21 of the boundaries of such areas and containing archeological
22 or paleontological resources which are closely associated
23 with any such area. If any such site is so designated or ac-
24 quired, it shall be included in and managed as part of such
25 area. Not more than seven thousand five hundred acres of

Jan
Colletta

DHEM HOME ANG

DHEM VSH
ATTN SFAAN
FROM BROOKS
DATE DECEMBER 16, 1977

THE FOLLOWING SHOULD BE GIVEN TO COWPER AND COLLETTA AND COPY
TO RON WHEN HE ARRIVES ON TUESDAY.

AMENDMENT TO HR 39

PAGE 146, STRIKE LINES 14, 15, AND 16 IN THEIR ENTIRETY, AND ON
PAGE 147, AFTER LINE 10 ADD NEW SUBSECTIONS AS FOLLOWS:

"(C) IN ANY CASE WHERE STATE-OWNED OR PRIVATELY OWNED LAND
(INCLUDING NATIVE LAND) OR A VALID MINING CLAIM OR OTHER VALID
OCCUPANCY IS SURROUNDED BY PUBLIC LANDS WITHIN ONE OR MORE
CONSERVATION SYSTEMS UNITS, THE STATE OR PRIVATE OWNER OR OCCUPIER
SHALL BE GIVEN SUCH EASEMENTS OR OTHER RIGHTS AS MAY BE NECESSARY
TO ASSURE ADEQUATE ACCESS TO SUCH SURROUNDED LAND OR OCCUPANCY
BY SUCH STATE OR PRIVATE OWNER OR OCCUPIER AND HIS SUCCESSORS IN
INTEREST, UNDER REASONABLE REGULATIONS TO PROTECT THE VALUES OF
THE UNIT OR UNITS."

*Will I...
Sec. 1202...*



[COMMITTEE PRINT]

Showing the Substitute Adopted by the Sub-
committee on General Oversight and
Alaska Land

FEBRUARY 10, 1978

95TH CONGRESS
2d Session

H. R. 39

A BILL

To designate certain Federal lands in the State
of Alaska as units of the National Forest,
National Park, National Wildlife Refuge,
Wild and Scenic Rivers, and National Wil-
derness Preservation Systems, and for other
purposes.

By Mr. _____

FEBRUARY , 1978

Referred to the Committee on _____

BILLS FG—1

[COMMITTEE PRINT]

SHOWING THE SUBSTITUTE ADOPTED BY THE
SUBCOMMITTEE ON GENERAL OVERSIGHT AND
ALASKA LAND

FEBRUARY 10, 1978

95TH CONGRESS
2D SESSION

H. R. 39

IN THE HOUSE OF REPRESENTATIVES

A BILL

To designate certain Federal lands in the State of Alaska as units of the National Forest, National Park, National Wildlife Refuge, Wild and Scenic Rivers, and National Wilderness Preservation Systems, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE AND TABLE OF CONTENTS

SECTION 1. This Act, together with the following table of contents, may be cited as the "Alaska National Interest Lands Conservation Act".

TABLE OF CONTENTS

Sec. 1. Short title and table of contents.....

TITLE I—FINDINGS, POLICY, AND DEFINITIONS

Sec. 101 Findings

Sec. 102. Policy

Sec. 103. Definitions

J. 22-690

Before promulgating regulations under this section, the Secretary shall give at least sixty days public notice of the proposed regulations, including publication of the proposed regulations in a newspaper or newspapers having general circulation in each State judicial district in Alaska where the unit or units affected by the proposed regulations are located, and shall hold a public hearing or hearings concerning the proposed regulations at one or more locations convenient to the unit or units affected.

*Title VIII
Administrative
Provisions*

(c) In any case in which State-owned or privately owned land (including Native land) or a valid mining claim or other valid occupancy is effectively surrounded by public lands within one or more conservation system units, the State or private owner or occupier shall be given by the Secretary such rights as may be necessary to assure adequate access for economic and other purposes to the concerned land by such State or private owner or occupier and their successors in interest. Such rights shall be subject to reasonable regulations issued by the Secretary to protect the values of such unit or units.

ARCHEOLOGICAL AND PALEONTOLOGICAL SITES

SEC. 1203. Notwithstanding any acreage or boundary limitations contained in this Act with respect to the conservation system units described in sections 201 (2), 201 (6), and 201 (10), the Secretary of the Interior may ac-