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An Update on Federal Agencies' Progress Under the Alaska Lands Act



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Resources, Community, and
Economic Development Division

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November 12, 1986

The Honorable Morris K. Udall
Chairman, Committee on Interior and
Insular Affairs
House of Representatives

The Honorable John F. Seiberling
Chairman, Subcommittee on Public
Lands, Committee on Interior
and Insular Affairs
House of Representatives

On February 27, 1986, you requested that we update appendix II of our April 19, 1982, report, Status of Federal Agencies' Implementation of the Alaska National Interest Lands Conservation Act (CED-82-74). This appendix listed all sections of the act and the December 31, 1981, status of the federal agencies implementation. You requested that our review give particular attention to the various sections for which the act set a completion deadline of 5 years after the date of enactment, or December 2, 1985. At your request we briefed your offices in May 1986 on the status of implementation by the Forest Service as of April 18, 1986. It was agreed at that time that our work on the remaining agencies would also provide the status as of April 18, 1986. In July 1986, again at your request, we briefed your offices on the portion of our work pertaining to the Bureau of Land Management. The information from both of these briefings was to be used in agency oversight hearings on Alaska.

In summary, we identified eight sections of the act (304, 402, 605, 706, 1002, 1113, 1301, and 1317) in which actions were to be completed within 5 years, or by December 2, 1985. The deadline date was not met on any of these sections. Two sections--402 (develop management plans for the Steese Conservation and White Mountains Recreation Areas) and 706 (report to the Congress on various activities on the Tongass Forest)--ran over the deadline date by a few months.


Another two sections--1002 (prepare a report to Congress on the Arctic Refuge) and 1113 (prepare a report to the Congress on the Stikine River region)--had report drafts in the process of being issued on the deadline date. In the remaining four sections--304 (preparation of comprehensive conservation plans for wildlife refuges), 605 (establish boundaries and formulate development and management plans for certain wild and scenic rivers), 1301 (develop conservation and management plans for national parks), and 1317 (review land in parks and refuges for additional designation as wilderness)--the delays will be longer. Because the latter four sections missed the deadline date, management plans and studies for refuges, parks, wilderness, and wild and scenic river areas are not available for federal agency use in managing these areas.

To obtain the information you requested, we interviewed officials from the Department of the Interior's National Park Service, Bureau of Land Management, Fish and Wildlife Service, and Geological Survey and the Department of Agriculture's Forest Service, located in Anchorage and Juneau, Alaska, and Washington, D.C. We also interviewed officials of the Alaska Land Use Council, Native corporations, and environmental and development organizations. In addition to interviewing officials at these agencies and organizations, we reviewed pertinent agency files and documents including reports and studies pertaining to the status of the act's implementation. The reports and studies include environmental impact statements; conservation system management plans; wilderness and wild and scenic river determination studies; special studies and reports involving fish and wildlife, oil and gas, minerals, and timber resources; and reports to the Congress.

As directed by your offices, we did not obtain official comments from the Departments of Agriculture and the Interior on this fact sheet. As agreed with your offices, unless you publicly announce its contents earlier, we plan no further distribution of this fact sheet until 10 days from its issue date. At that time, we will provide copies to the Secretaries of Agriculture and the Interior and make copies available to others upon request. If you have any comments

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or would like to discuss the contents of this fact sheet further, please contact me on 275-7756.


for Michael Gryzkowicz
Associate Director

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ABBREVIATIONS

ALUC	Alaska Land Use Council
ANILCA	Alaska National Interest Lands Conservation Act
bd ft	board feet
BIA	Bureau of Indian Affairs
BLM	Bureau of Land Management
DOI	Department of the Interior
DOT	Department of Transportation
EIS	environmental impact statement
FS	Forest Service
FWS	Fish and Wildlife Service
GAO	General Accounting Office
GS	Geological Survey
GSA	General Services Administration
NA	No action required or not applicable
NPS	National Park Service
OMB	Office of Management and Budget
SEACC	Southeast Alaska Conservation Council

SECTION 1

EVENTS LEADING TO THE PASSAGE OF THE ALASKA NATIONAL INTEREST LANDS CONSERVATION ACT

Three major pieces of legislation--the Alaska Statehood Act of 1958 (Public Law 85-508), the Alaska Native Claims Settlement Act of 1971 (Public Law 92-203), and the Alaska National Interest Lands Conservation Act (ANILCA) (Public Law 96-487, December 2, 1980)--provide the framework for federal and nonfederal land ownership and management in Alaska.

When the Statehood Act was enacted in July 1958, over 99 percent of Alaska was federally owned. The Bureau of Land Management (BLM) controlled about 80 percent as public lands, and most of the rest was managed by the National Park Service (NPS) as national parks, the Fish and Wildlife Service (FWS) as wildlife ranges, the Forest Service (FS) as forests, and the Department of Defense as military lands.

The Statehood Act entitled the state to select about 104 million acres of federal lands and title to navigable inland waters to provide the state with an independent economic base. The act did not address the Alaska Native aboriginal land claims issue, which the United States agreed to settle when the territory was purchased from Russia in 1867. Subsequently, in response to Natives' appeals that they were being denied lands to which they had aboriginal rights, the Secretary of the Interior froze further state land selections until the Native land claim issue was settled.

The Alaska Native Claims Settlement Act, passed in December 1971, granted Alaska Natives the right to select about 44 million acres of federal land. In section 17(d)(2) of the act, up to 80 million acres of federal lands were to be set aside from Native and state selection rights and from development for study as additions to four national land conservation systems--parks, wildlife refuges, forests, and wild and scenic river areas. On December 17, 1973, the Secretary of the Interior recommended to the Congress that about 83 million acres be placed in the conservation systems.

During subsequent years, an extended debate ensued over how much land should be placed in the various protection categories, which federal agencies should manage the land, and what land-use activities should be allowed.

The Congress was to make the final determination on the lands recommended for the conservation systems by December 18, 1978; otherwise, the lands would revert to public land status. Numerous resolutions were introduced into various sessions of the Congress, but none was approved.

As the December 1978 congressional deadline approached, with no lands bill in sight, the executive branch took administrative actions to keep the withdrawn federal lands from reverting to public land status. In addition, other lands not previously set aside in 1973 were removed from public land status. In November 1978 the Secretary of the Interior withdrew about 110 million acres of land pursuant to the Federal Land Policy and Management Act of 1976 (Public Law 94-579). On December 1, 1978, presidential proclamations established 17 new national monuments encompassing about 56 million acres pursuant to the Antiquities Act of 1906 (16 U.S.C. 431).

On December 2, 1980, the President signed the Alaska National Interest Lands Conservation Act. The act revoked the 1978 executive branch withdrawals, restricted future executive land withdrawal powers, required congressional concurrence on specific major actions, and mandated specific executive branch actions.

SECTION 2
SUMMARY AND STATUS OF THE PROVISIONS OF
THE ALASKA NATIONAL INTEREST LANDS CONSERVATION ACT^a

Description of Section ^b [by Title]	Respon- sible agency	Deadline	Status [as of April 18, 1986]
<u>TITLE I--PURPOSES, DEFINITIONS, AND MAPS</u>			
101 Alaska National Interest Lands Conservation Act's purpose is to preserve certain lands and waters containing nationally significant values.	NA ^c	NA	NA
102 Defines applicable terms.	NA	NA	NA
103 Requires boundary maps and legal descriptions of each conservation unit change.	NPS, FWS, BLM, FS, GS ^d	As soon as possible	All maps are printed and available. No maps or legal descriptions of units have been published in the <u>Federal Register</u> except for FWS's national wildlife refuges, which were published on 2/24/83.

^aThis summary covers the requirements and status for most ANILCA sections. Certain subsections, which do not lend themselves to summary format because of their technically complex nature, are not covered.

^bFor brevity, the proper names of various conservation systems have been shortened for this summary.

^cNo action required or not applicable.

^dGeological Survey.

Description of Section (by Title)	Responsible agency	Deadline	Status (as of April 18, 1986)
<u>TITLE II--NATIONAL PARK SYSTEM</u>			
201 Establishes 10 park system units and designates unit management purposes.	NPS	NA	Units have been staffed--one permanent ranger per 3.2 million acres.
Authorizes a surface transportation right-of-way across the Gates of the Arctic Preserve and requires notice to be published in the <u>Federal Register</u> when an application is received.	BLM, NPS	NA	No applications submitted.
Requires a draft and final environmental and economic analysis of the right-of-way route across the Gates of the Arctic Preserve and directs that right-of-way be issued for a route agreed upon by the Secretaries of the Interior and Transportation.	BLM, NPS, DOT ^e	9 mos./ 1 yr. after appli- cation	No applications submitted.
Authorizes establishment of a scientific research board to encourage research in in the Noatak Preserve.	NPS	NA	The Arctic Research Policy Committee under the leadership of the National Science Foundation fulfills this role.
202 Expands and redesignates 3 park system units and designates management purposes for each addition.	NPS	NA	Expanded areas managed by in-place employees. Two additional employees added to Katmai and one to Denali.
Requires a report to the Congress on the Kantishna Hills and Dunkle Mine areas of the Denali Park.	ALUC ^f	12/2/83	Studies were completed in 5/84 and were forwarded to Interior's Assistant Secretary for Fish and Wildlife and Parks for review. The required report has not been issued to the Congress.

^eDepartment of Transportation.

^fAlaska Land Use Council.

Description of Section (by Title)	Respon- sible agency	Deadline	Status (as of April 18, 1986)
203 Prescribes park system administrative provisions. Also permits hunting in preserves, allows subsistence uses in preserves and where specified in monuments and parks, and prohibits entrance fees at park system units in Alaska.	NPS	NA	Regulations prescribing park system administrative provisions were published in the <u>Federal Register</u> on 6/17/81.
204 Directs conveyance of Native land selections within the Wrangell-Saint Elias Park and Preserve.	BLM	NA	No action has been taken on Chugach Regional Corporation or Ahtna, Inc.'s selections within the Wrangell-Saint Elias Park and Preserve. The lands are of low priority to the corporations. (Also see section 1430.)
205 Prohibits unreasonable commercial fishing right restrictions in Cape Krusenstern Monument and specific areas of Wrangell-Saint Elias and Glacier Bay Preserves.	NPS	NA	Through its management of park units, NPS permits and monitors such uses.
206 Subject to valid rights and, except as ANILCA provides, withdraws new park lands from mining and future state and Native corporation selections.	NPS	NA	Mining claims have been reduced from over 4,000 to about 2,100. NPS expects to spend about \$136,000 in fiscal year 1987 to conduct mineral examinations for validity purposes.

Description of Section [by Title]	Responsible agency	Deadline	Status [as of April 18, 1986]
<u>TITLE III--NATIONAL WILDLIFE REFUGE SYSTEM</u>			
301 Defines applicable terms.	NA	NA	NA
302 Establishes 9 refuge system units and designates unit management purposes. Also authorizes reindeer grazing in the Selawik Refuge.	FWS	NA	FWS has a total of 38 permanent employees assigned to manage 9 refuges (numbering from 2 at Alaska Peninsula to 6 at Yukon Flats). FWS has received no application for reindeer grazing on Selawik National Wildlife Refuge.
303 Expands and redesignates 7 refuge system units and designates unit management purposes. In addition, permits reindeer grazing in the Yukon Delta Refuge and prohibits impeding navigation passage and boat access on the Yukon and Kuskokwim Rivers.	FWS	NA	The 7 expanded refuge units are assigned 81 permanent employees. Grazing permitted on Nunivak Island, which is part of the Yukon Delta Refuge; no application has been submitted for grazing in new areas. Passage and access on these rivers is allowed.
304 Prescribes refuge system administrative provisions.	FWS	NA	Regulations prescribing refuge system administrative provisions were published in the <u>Federal Register</u> on 6/17/81.
Prohibits any use or easement unless compatible with the refuge purpose.	FWS	NA	NA
Subject to valid existing rights, withdraws all refuge lands from future state and Native corporation selections and from appropriation or disposal under the public land laws, but not from operation of mineral leasing laws.	FWS	NA	FWS continues to monitor changes in state and Native selections, Native allotment applications, public land claims, patented lands on refuges, mining claims, easements, and rights-of-way.
Permits commercial fishing within refuges, including use of campsites and cabins, motorized vehicles, and aircraft.	FWS	NA	FWS issues permits for such activities.
Authorizes cooperative management agreements with landowners within or adjacent to refuges.	FWS	NA	FWS has discussed cooperative agreements with Native corporations and is developing agreements with the state for Izembek Lagoon and FS for the Copper River Delta.

Description of Section [by Title]	Respon- sible agency Deadline	Status [as of April 18, 1986]
Requires conservation plans for each refuge: —5 refuges, —5 additional refuges, and —6 additional refuges.	FWS	12/2/83 Final plans for Kenai, Alaska 12/2/85 Peninsula, Becharof, and Izembek 12/2/87 refuges were completed in 1985. Draft plans for Tetlin, Kanuti, Toqiak, and Kodiak refuges are out for public review. Nowitna, Yukon Flats, Koyukuk, and Selawik draft plans will be released to the public late in fiscal year 1986. Development of draft plans are underway for Yukon Delta, Alaska Maritime, Arctic, and Innoko refuges.
305 States that ANILCA and the Alaska Native Claims Settlement Act provisions prevail over prior proclamations, executive orders, and public land orders regarding Alaska refuges.	FWS	NA NA
306 Requires a barren-ground caribou herds study.	FWS	NA A cooperative study with the Alaska Department of Fish and Game and Canadian Wildlife Service was started in fiscal year 1981 and is still in process.

Description of Section (by Title)	Respon- sible agency	Deadline	Status (as of April 18, 1986)
<u>TITLE IV--NATIONAL CONSERVATION AREA AND NATIONAL RECREATION AREA</u>			
401 Establishes the Steese Conservation Area and designates management purposes.	BLM	NA	NA
402 Prescribes Steese Conservation Area administrative provisions and the extent of mineral development permitted. In addition, requires management plans for the	BLM	NA	Management plans for the Steese Conservation Area and the White Mountains Recreation Area were completed on 2/2/86, and subsequently implemented.
--Steese Conservation Area and	BLM	12/2/85	
--White Mountains Recreation Area.	BLM	12/2/85	
403 Establishes the White Mountains Recreation Area and prescribes administrative provisions.	BLM	NA	See section 402.
404 States the rights of unperfected mining claim holders within the Steese Conservation Area and the White Mountains Recreation Area.	BLM	NA	NA

Description of Section [by Title]	Respon- sible agency	Deadline	Status [as of April 18, 1986]
<u>TITLE V—NATIONAL FOREST SYSTEM</u>			
501 Expands 2 forest system units and prescribes administrative provisions.	FS	NA	Chugach National Forest Management Plan completed on 7/27/84. Tongass National Forest Management Plan of 1979 is being updated and rewritten.
Requires special regulations for the protection of fish and wildlife in Copper/Bering/Rude River areas.			Regulations have been drafted and are scheduled to be published in the <u>Federal Register</u> .
502 Restricts mining and mineral leasing within certain Chugach Forest areas.	FS	NA	FS determined that existing regulations are adequate.
503 Establishes 2 monuments within the Tongass Forest and designates their management purposes. Also prohibits timber sale or harvest and restricts mining and mineral leasing.	FS	NA	Admiralty Island National Monument Plan was completed in August 1983. The final management plan for the Misty Fjords Monument is being delayed while appeals to the Stikine Wilderness Plan are cleared.
Withdraws the monument lands from entry or disposal under public land, mining, and mineral leasing laws and from future selections by the state and Native corporations. Also requires regulations to assure activities on monument lands are compatible with monument purposes.	FS	NA	Regulations have been drafted and are scheduled to be published in the <u>Federal Register</u> .
Requires a draft and final analysis of the Quartz Hill mine development in the Tongass Forest.	FS	6/2/81 and 9/2/81	Target dates were met. A revised analysis for Quartz Hill will contain information on changing the tailings site for the mine from Boca de Quadra to Smeaton Bay. The Southeast Alaska Conservation Council (SEACC) opposes any action that might affect the Wilson Arm or Wilson River, which run into Smeaton Bay.
Requires a draft environmental impact statement (EIS) for bulk sampling and access road at Quartz Hill.	FS	12/2/81	A draft EIS was issued on 12/3/81. The final EIS was issued on 7/15/82.

Description of Section (by Title)	Responsible agency	Deadline	Status (as of April 18, 1986)
Requires administrative review and decision on Quartz Hill access road proposal and that a special-use permit be issued if approved.	FS	4 months after final EIS	FS approved the access road in March 1982. The road was completed and opened on 8/12/83.
Designates leasing requirements (and necessary associated permits) at Quartz Hill and Greens Creek in the Tongass Forest.	FS	NA	Two permits pertaining to Quartz Hill have been issued. The first pertains to a road and the second provides for a storage yard. There are no leases on Greens Creek.
504 Provides specific unperfected mining claim requirements in Misty Fjords and Admiralty Island Monuments.	FS	NA	Applications to explore have been filed on Quartz Hill, Greens Creek, and Pyrola.
Requires public notice of unperfected mining claim exploration permit requirements in Misty Fjords and Admiralty Island Monuments.	FS	3/2/81	Public notice of permit requirements was made on 3/2/81 in the <u>Federal Register</u> .
Requires issuance of unperfected mining claim exploration permits in Misty Fjords and Admiralty Island Monuments if requirements are set.	FS	18 months after application	Time frames have been met. Validity determinations are ongoing. Public Law 99-235 amends the time Greens Creek Joint Venture has to further explore its unperfected claims at Greens Creek. The law also requires FS to negotiate an agreement with Shee Atika Native Corporation not to log its land on Admiralty Island.
505 Requires regulations for preserving and protecting fisheries on forest lands, particularly as they are affected by mining operations. Also requires that mining operations involving significant surface disturbance have an approved operation plan.	FS	NA	An interagency task force determined that existing regulations are adequate. Their report was to be published in the <u>Federal Register</u> in late April 1986.
Requires review of mining operation plans and activities.	FS	Annually	Directives for assessing the plans were issued 3/20/81. FS has annually reviewed the mining operation plans and activities.

Description of Section (by Title)	Respon- sible agency	Deadline	Status (as of April 18, 1986)
506 Authorizes and directs the conveyance of certain lands and rights with restrictions within the Admiralty Island Monument to specific Native corporations and exchange of monument lands for other lands.	BLM	NA	Congress conveyed 6,985 acres to Kootznoowoo, 25,263 acres to Shee Atika, and 30,735 acres to Gold Belt. An Angoon-Mitchell Bay Unit Plan was proposed and was targeted for completion in calendar year 1986.
			Native corporations want FS to draft regulations that would require FS to incur the costs associated with protecting private lands along the easements. FS believes that its regulations are adequate.
			Sealaska Regional Corporation supports more Admiralty Island land exchanges, which will provide new lands to Native corporations. Litigation costs from environmental challenges have resulted in severe financial problems for one corporation; another is in Chapter 11 proceedings.
			SEACC supports a land exchange that eliminates the Greens Creek area from the Admiralty Island Monument while adding the Young's Lake area to the Monument.
			FS purchased an easement from Goldbelt Incorporated through an 11,000-acre land exchange. FS purchased two other easements from the Hoonah Corporation for \$1 each for access to gravel pits.
Authorizes reimbursement of land selection costs to those Native corporations.	BIA	Start in fiscal year 1981	The Bureau of Indian Affairs (BIA) has paid out \$1.25 million through 9/30/85, and \$718,000 is available in fiscal year 1986. An additional \$522,223 is pending payment if BIA receives funding authorization.

Description of Section (by Title)	Respon- sible agency	Deadline	Status (as of April 18, 1986)
507 Directs Tongass Forest cooperative fisheries planning with the state and nonprofit aquaculture corporations.	FS	NA	Cooperative planning is occurring with the state and others.
Requires that forest management plan revisions contain a report on cooperative fisheries planning and that the report be submitted to the Congress.	FS	Each revision	The Tongass Land Management Plan will contain cooperative planning requirements and be linked with section 1315 (fisheries enhancement requirements). SEACC believes the current plan must be updated without delay. It is concerned that the enhancement programs are not being fully evaluated and, in its view, may be used to offset losses from mismanaged logging activities.

Description of Section (by Title)	Respon- sible agency	Deadline	Status [as of April 18, 1986]
<u>TITLE VI--NATIONAL WILD AND SCENIC RIVERS SYSTEM</u>			
601 Designates 13 wild and scenic rivers within the park system.	NPS	NA	NA
602 Designates 6 wild and scenic rivers within the refuge system.	FWS	NA	NA
603 Designates 7 wild and scenic rivers outside parks and refuges.	NPS, BLM	NA	NA
604 Requires 12 additional rivers to be studied for wild and scenic river designations, and reports to the Congress on the studies:			
--3 river studies prepared pursuant to another act,	NA	NA	NA
--2 river studies prepared in conjunction with the Bristol Bay cooperative region plan, and	NPS	12/2/83	Studies were completed in September 1984. Both rivers were found eligible, but nonsuitable for inclusion in the national wild and scenic rivers system.
--7 other river studies.	NPS, FS	9/30/84	Melozitna (10/82), Yukon (8/84), Koyuk (8/84), and Porcupine (9/84) areas were found eligible but not suitable for designation. Sheenjek and Squirrel studies recommended designation. Final EISs are being held up by Office of Environmental Project Review for addition of technical information. FS submitted the Situk River final report and EIS to the Congress in April 1985. It recommended that the river not be included in the wild and scenic rivers program.

Description of Section (by Title)	Respon- sible agency	Deadline	Status (as of April 18, 1986)
605 Designates rivers as wild, scenic, or recreational; allows access across certain segments of one wild river for asbestos mining development; and authorizes cooperative agreements with private landowners to ensure that wild and scenic river purposes can be realized.	NPS, FWS, BLM	NA	NPS manages rivers as part of surrounding park system units. FWS has established guidelines for managing wild and scenic rivers in the refuge conservation plans. BLM has conducted some limited monitoring of activities along the rivers assigned. BLM also has issued permits to cross the Fortymile River to the asbestos deposits. These agencies have not entered into cooperative agreements with other landowners.
Requires that wild and scenic river boundaries be established and development and management plans be formulated, as follows:			
--7 rivers outside parks and refuges;	NPS, BLM	12/2/83	BLM has completed management plans with established boundaries for 6 rivers. Congress accepted these on May 1, 1984. NPS established boundaries and approved the management plan for the seventh river in November 1983.
--13 rivers within park system units, coordinated with unit management plans; and	NPS	12/2/85	Thirteen rivers are within park system units, and management plans were prepared as part of the general management plans of each park. See section 1301, which requires that conservation and management plans be prepared for park system units.
--6 rivers within refuge system units, coordinated with unit management plans.	FWS	12/2/87	Boundaries for all 6 rivers, located in 4 refuge system units, will be established by December 1987. Proposed boundaries have been established for the Nowitna and Selawik Rivers in the draft management plans.

Description of Section (by Title)	Responsible agency	Deadline	Status (as of April 18, 1986)
606 Amends the Wild and Scenic Rivers Act by prescribing the extent of ANILCA-designated wild and scenic river boundaries within the refuge system units and outside conservation system units, and withdraws land on both sides of rivers designated for study from mining and mineral leasing, state selection, or other disposition.	NPS, FS, FWS, BLM	NA	As discussed in section 605, the plans for the wild and scenic rivers have been addressed and the lands on both sides of the rivers have been withdrawn from mining and mineral leasing, state selection, or other disposition.

Description of Section (by Title)	Respon- sible agency	Deadline	Status (as of April 18, 1986)
<u>TITLE VII--NATIONAL WILDERNESS PRESERVATION SYSTEM</u>			
701 Establishes 8 wilderness areas within park system units.	NPS	NA	NA
702 Establishes 13 wilderness areas within refuge system units.	FWS	NA	NA
703 Establishes 14 wilderness areas within the Tongass Forest and allows mechanized portage equipment use in one wilderness area.	FS	NA	NA
704 Requires a study and report to the President and the Congress on wilderness potential of a Chugach Forest area.	FS	12/2/83	Final EIS and wilderness study report is to go to Congress and the Office of Management and Budget [OMB] in September 1986, and will reportedly recommend including the area plus additional lands in the wilderness system.
705 Provides at least \$40 million annually for Tongass Forest timber supply maintenance at 4.5 billion board feet (bd ft) per decade.	FS	NA	Annual funding to maintain the timber supply has ranged from \$45 to \$50 million since 1982. For fiscal years 1980-85, FS has offered an annual average 481 million bd ft of timber for sale. However, the average annual sale during this period has been 292 million bd ft; the average harvest, 284 million bd ft. Direct industry employment has declined from a 1980 high of 3,055 to a 1985 low of 1,910.
Directs that a guaranteed loan program be established for forest industry equipment and technology and authorizes \$5 million from forest funds for the program.	FS	NA	The Farmers Home Administration agreed to administer the loan program. To date, the Congress has not appropriated funding.
Requires a study and report to the Congress on increasing timber yield opportunities on forest lands.	FS	12/2/83	FS submitted the study to the Congress in January 1984.

Description of Section [by Title]	Respon- sible agency	Deadline	Status [as of April 18, 1986]
706 Directs that the southeast Alaska timber supply and demand be monitored and reported to congressional committees to include whether the Tongass Forest is able to maintain the rate of 4.5 billion bd ft per decade.	FS	Annually	FS has submitted the required annual reports to the Congress. FS' 1985 report concluded that —timber supplies have been and should remain adequate to maintain the rate of 4.5 billion bd ft per decade; —reduced demand has created a surplus of pulp grade timber; —unless new markets are found for its pulp and/or lower grade logs, the southeast Alaska timber industry can anticipate a long-term decline; and —markets for higher grade spruce products and logs are good, but profits do not offset losses from lower quality timber.
Requires a report to the Congress on the Tongass Forest timber harvest levels, wilderness impacts, fish and wildlife protection methods, and the small business set-aside program.	FS	12/2/85 and bi-ennially thereafter	The report was issued to the Congress in April 1986.
707 Requires that new wilderness areas be administered in accordance with the Wilderness Act, except as ANILCA provides.	NPS, FWS, FS	NA	All agencies have developed policies, manuals, and conservation management plans to administer wilderness areas.
708 Directs that no further National Forest System roadless area reviews and evaluations be conducted in Alaska.	FS	NA	NA

Description of Section [by Title]	Respon- sible agency	Deadline	Status [as of April 18, 1986]
<u>TITLE VIII-SUBSISTENCE MANAGEMENT AND USE</u>			
801 Declares the need to protect and provide for continued subsistence opportunity for rural Alaska residents on public lands.	NA	NA	NA
802 Declares congressional policy to provide rural residents the opportunity to continue a subsistence life-style.	NA	NA	NA
803 Defines subsistence terms.	NA	NA	NA
804 Gives subsistence use priority over other purposes in taking of fish and wildlife on public lands and specifies criteria when restrictions are necessary.	NA	NA	NA
805 Requires establishment of subsistence resource regions, committees, and regional advisory councils if subsistence program is not implemented by the state.	DOI	12/2/81	<p>The Department of the Interior (DOI) determined on 5/14/82 that the state's program for management of subsistence uses complied with the requirements of title VIII. The state therefore maintained its traditional role in the regulation of fish and wildlife resources on the public lands in Alaska. The state adopted criteria that identified "customary and traditional uses" and established an administrative structure to enable rural residents to have a meaningful role in the management of such uses.</p> <p>On 2/22/85 the Alaska State Supreme Court issued the Madison Decision, in which it struck down subsistence regulations implemented by the state. In so doing, the Supreme Court stated that the state subsistence law was designed to protect the customary and traditional uses—not restrict them. It also reaffirmed the definition of a subsistence user to include all state residents rather than limiting it to rural</p>

Description of Section [by Title]	Respon- sible agency <u>Deadline</u>	Status [as of April 18, 1986]
Directs reimbursement to the state for operating costs of regional advisory councils and state fish and game advisory committees, not to exceed 50 percent of costs, or \$5 million annually, and report to the Congress every 5 years on whether the reimbursement levels are appropriate.	DOI	Annually Cost reported to FWS by the state to operate the advisory system has ranged from \$2.4 to \$3.6 million annually. Reimbursement through FWS has been about \$1 million annually. DOI completed the report to the Congress in March 1985. [See section 813].
808 Requires that DOI monitor the state subsistence program and report to the state and various congressional committees on its effectiveness.	DOI	Annually FWS issued the first report to the Congress in January 1984. The second report was issued to the Congress in March 1985 in conjunction with the report required under section 813.
807 Provides judicial enforcement for parties aggrieved by state or federal government failure to provide subsistence use priority.	NA	NA NA

residents. The Court reaffirmed the priority of subsistence uses over commercial and sport uses when harvest restrictions are necessary to protect fish and game populations. The 1985 state legislative session introduced legislation designed to respond to the regulatory uncertainty created by the Court's decision. Hearings were held, but the legislature adjourned without passing a final bill. During this time, federal agencies prepared contingency plans to manage subsistence on federal lands. However, the 1986 state legislative session passed legislation that made it unnecessary for federal agencies to assume this responsibility.

Description of Section (by Title)	Respon- sible agency	Deadline	Status (as of April 18, 1986)
808 Directs that a subsistence resource commission be appointed for each park or park monument where subsistence is permitted.	9	12/2/81	Subsistence resource commissions were established in May 1982 for Cape Krusenstern, Kobuk Valley, Denali, Gates of the Arctic, Aniakchak, Lake Clark, and Wrangell-Saint Elias national parks. First commission meetings were held in 1984.
Requires each commission to develop and recommend to the Secretary of the Interior and the governor of Alaska a program for subsistence hunting within each park or park monument.	NA	6/2/82	Some of the commissions' first recommendations were made to the Secretary of the Interior and the governor of Alaska in 1986.
Requires that the commissions' recommendations be implemented if determined by DOI to be appropriate, with exceptions.	DOI	Promptly	Based on the first recommendations, NPS believes that changes in existing regulations will be necessary.
809 Authorizes cooperative agreements to accomplish subsistence purposes and policies.	NPS, FWS, BLM, FS	NA	All agencies have entered into cooperative agreements with the state in accordance with this section.
810 Requires that federal agencies take certain actions in land-use decisions affecting subsistence uses.	Appli- cable agency	NA	Guidelines for implementing this section were developed by ALUC and have been incorporated into the federal agencies' policies.
811 Requires that reasonable access to subsistence resources on public lands is assured and traditional means of surface transportation, such as snowmobiles and motorboats, are permitted for subsistence.	Appli- cable agency	NA	Agencies' policies, regulations, and management plans allow access to conservation units for subsistence purposes.
812 Directs research on fish and wildlife and subsistence uses.	FWS	NA	Federal agencies have initiated research on fish and wildlife and subsistence uses on most of the conservation units through efforts of their own cooperative and interagency agreements.

9The Secretary of the Interior, the Alaska Governor, and the subsistence regional advisory councils are to appoint commission members.

Description of Section <u>(by Title)</u>	Respon- sible agency	<u>Deadline</u>	Status <u>(as of April 18, 1986)</u>
813 Requires a report to the Congress on implementing the subsistence requirements.	DOI	12/2/84 and tri- ennially there- after	FWS completed the report to the Congress in March 1985.
814 Requires that regulations be prescribed as necessary to carry out subsistence responsibilities.	NPS, FWS, BLM, FS	NA	FWS and BLM believe their agency regulations are adequate to allow subsistence harvesting. NPS issued its regulations in June 1981. FS has developed a handbook on subsistence management and use.
815 Provides limitations and savings clauses regarding subsistence on conservation system units and public lands.	NA	NA	NA
816 Prohibits wildlife taking in Alaska parks and park monuments except where ANILCA permits subsistence uses; authorizes sport fishing in those areas. Also authorizes temporary closure of public lands to subsistence uses of fish or wildlife for public safety, administration, or continued population viability.	NPS, FWS, BLM, FS	NA	NPS issued regulations in June 1981. NPS and FWS have issued no temporary closures. BLM has entered into an agreement with the Alaska Department of Fish and Game that governs subsistence use.

Description of Section
(by Title)

Respon-
sible
agency Deadline

Status
(as of April 18, 1986)

TITLE IX--IMPLEMENTATION OF ALASKA NATIVE CLAIMS SETTLEMENT AND ALASKA STATEHOOD ACTS

901	Prescribes policy and procedures for determining submerged lands ownership.	BLM	NA	As of 12/5/83, the Secretary of the Interior directed BLM to implement a policy of not charging eligible Alaska Native corporations and the state of Alaska for submerged lands beneath meandarable water bodies. For lakes larger than 50 acres and streams wider than 198 feet, such acreage will not be charged against the entitlement of the state or Native corporations.
902	Provides a statute of limitations for judicial review of the Secretary of the Interior's submerged land-ownership decisions.	NA	NA	NA
903	Prescribes administrative provisions concerning easements and certain oil and gas lease offers filed on or before 12/18/71, on Native selected lands.	BLM	NA	BLM has been observing the provisions of section 903 in regard to easements. This is an ongoing practice.
904	Extends the tax moratorium on certain undeveloped lands conveyed pursuant to the Alaska Native Claims Settlement Act.	NA	NA	NA
905	Approves, effective 5/31/81, with certain exceptions, all Alaska Native allotment applications made pursuant to the act of 5/17/06, which were pending on or before 12/18/71.	BLM	5/31/81	As of 4/18/86, BLM had 6,010 active allotment cases that had been legislatively approved pursuant to section 905. Protests and/or conflicts must be investigated on specific parcels within the remaining applications.
906	Extends the state land selection period and, among other things, confirms and conveys certain selected lands.	BLM	NA	The state has made a number of new selections within the extended selection period. The state has been taking a more assertive management role with the lands that had the title confirmed.

Description of Section (by Title)	Responsible agency	Deadline	Status [as of April 18, 1986]
Proceeds received are to be identified and placed in an escrow account.	Applicable agency	As received	As of December 1985, BLM had issued 43 checks to the state for a total of \$34,826 as the state's share of the escrow funds. FWS has not issued permits on state-selected land and therefore has not received any proceeds. FS reported that it has paid out \$101,400 of the identified \$250,200 owed to the state.
907 Establishes the Alaska Land Bank Program.	ALUC	NA	ALUC sent a series of recommendations to the Secretaries of Agriculture and the Interior concerning the Alaska Land Bank Program. No agreement for the land bank program had been completed as of 4/18/86.
908 Amends the Alaska Native Claims Settlement Act to protect Native lands in contingency areas under timber sales.	NA	NA	NA
909 Authorizes using protraction diagrams in lieu of field surveys if party receiving land title agrees.	BLM	NA	Neither the state nor the Natives will accept protracted surveys.
910 States that an EIS will not be required for withdrawals, conveyances, or other actions leading to conveyances to Natives pursuant to the Alaska Native Claims Settlement Act or ANILCA.	NA	NA	NA
911 Amends Public Law 94-204 revising certain land descriptions.	NA	NA	NA

Description of Section [by Title]	Respon- sible agency	Deadline	Status [as of April 18, 1986]
<u>TITLE X—FEDERAL NORTH SLOPE LANDS STUDIES, OIL AND GAS LEASING PROGRAM, AND MINERAL ASSESSMENTS</u>			
1001 Requires a lands study with progress reports to the President and the Congress, including potential oil and gas development, alternative transportation routes, and impact on wildlife resources, wilderness review, and wildlife protection. Final report is due December 1988.	BLM	Annually	BLM has submitted annual reports and 1988 for sections 1001, 1004, 1005, and 1006. BLM began the final report on 10/1/85, and anticipates its completion in December 1988. The final report will address sections 1004, 1005, and 1006.
1002 Requires an Arctic Refuge coastal plain wildlife resource assessment and publication of the results of that study.	FWS	6/2/82	The report was published in April 1982. Updates to the initial study were published in January 1983, February 1984, and March 1985.
Requires regulations and an EIS for oil and gas exploratory activities on the Arctic Refuge coastal plain.	FWS	12/2/82	The final EIS was published in February 1983 and final regulations were published on 4/19/83.
Requires a report to the Congress on the Arctic Refuge coastal plain oil and gas potential and the developmental impact on fish and wildlife.	FWS	Between 12/2/85 and 9/2/86	Interior is processing a report to the Congress. Litigation is pending regarding the right of the public to review the draft report before it is issued to the Congress.
1003 Prohibits Arctic Refuge oil and gas production or development until authorized by the Congress.	NA	NA	NA
1004 Requires that the federal lands included in the section 1001 study be reviewed for wilderness designation and that the study areas be administered to maintain their wilderness character.	BLM	Annually	See section 1001.
1005 Prescribes the wildlife resources portion of the section 1001 study and directs that the Secretary of the Interior work with the state and Native groups and consult with the Canadian government in evaluating effects of oil and gas activity.	BLM	Annually	See section 1001.
1006 Directs consultation with the Secretary of Transportation on alternative transportation routes included in the section 1001 study.	BLM	Annually	See section 1001.

Description of Section (by Title)	Respon- sible agency	Deadline	Status (as of April 18, 1986)
1007 Requires a study and report to the Congress on arctic research and the Naval Arctic Research Laboratory.	GS ^h	12/2/81	A report was issued to the Congress in March 1982.
1008 Requires establishment of an oil and gas leasing program on federal lands in Alaska not subject to the section 1001 study, and other than the National Petroleum Reserve-Alaska, and a report to the Congress on the program.	BLM	10/1/81	BLM has leased about 2.3 million and acres under the section 1008 annually program. Interior submitted the there- report to the Congress annually after since December 1981.
1009 Requires a decision and statement in response to an oil or gas lease application for refuge lands setting forth the reasons for issuing or not issuing the lease---requires the decision within 6 months after application receipt if an EIS is not required, or 3 months after a final EIS, if required.	FWS, BLM	3 months after EIS	FWS has determined that an environmental assessment or EIS is required for oil and gas activities on refuges. Until FWS completes its conservation plans and determines which are suitable for oil and gas activity, the needed studies are not being conducted.
1010 Requires an assessment of oil, gas, and other mineral potential on all public lands in Alaska other than lands included in the section 1001 study, and the development of regulations for assessment activities on conservation units.	GS	NA	GS is actively carrying out its Alaska Mineral Resource Assessment Program. At the end of 1985, 29 quadrangles had been mapped and 18 were in progress. Seventeen studies are scheduled to begin between 1986 and 1990. If funding remains constant, GS estimates completion of level III studies by the year 2000. Fifteen to twenty-five percent of the work load are level IV studies that are intended to further regional knowledge.
1011 Requires that the President transmit to the Congress all Alaska minerals public information.	GS	10/1/82 and annually there- after	The report is completed annually and provided to the Congress.

^hGeological Survey in conjunction with the Departments of Defense and Energy.

Description of Section (by Title)	Respon- sible agency	Deadline	Status (as of April 18, 1986)
<u>TITLE XI--TRANSPORTATION AND UTILITY SYSTEMS IN AND ACROSS, AND ACCESS INTO, CONSERVATION SYSTEM UNITS</u>			
1101 Recognizes the need for a single authority to approve or disapprove transportation and utility system applications.	NA	NA	NA
1102 Defines terms relating to transportation and utility systems within conservation system units.	NA	NA	NA
1103 Provides that applicable law applies to transportation and utility system authorization and administration, except as ANILCA provides.	NA	NA	NA

Description of Section (by Title)	Respon- sible agency	Deadline	Status (as of April 18, 1986)
1104 Prescribes transportation and utility system application procedures and requires a consolidated application form for transportation or utility systems in and across, and access into, conservation units.	BLM	5/31/81	<p>A consolidated application form was approved by DOI in December 1981. No applications for transportation or utility systems have been filed with the land managing agencies.</p> <p>Title XI regulations are being reviewed by DOI. NPS began title XI processing for Red Dog Mine Road, but it ended up approved as part of a legislated land exchange.</p> <p>FWS has received applications for small systems that do not affect other agencies' lands. No EISs have been required. Applications have been processed within the time frames established by title XI.</p> <p>FS has been waiting 2 years for regulatory guidance from DOI. There have been no applications to date. However, U.S. Borax has expressed interest in providing power to its Quartz Hill property via a utility link with British Columbia. This would require a utility easement across the Misty Fjords National Monument. SEACC states that it may support such an easement rather than on-site diesel generation.</p>
1105 Requires that the land-managing agency make recommendations concerning proposed transportation and utility systems where there is no applicable law.	Appli- cable agency	4 months after final state- ment	No applications for transportation and utility systems have been filed.
1106 Prescribes actions required of agencies, the Congress, and the President concerning transportation and utility system applications.	Appli- cable agency	NA	NA
1107 Requires certain right-of-way terms and conditions for transportation and utility systems within conservation units.	Appli- cable agency	NA	NA

Description of Section [by Title]	Respon- sible agency	Deadline	Status [as of April 18, 1986]
1108 Provides that courts shall not have the jurisdiction to issue injunctions lasting longer than 90 days against actions pursuant to title XI except in conjunction with a final judgment of the court.	Any federal court	NA	NA
1109 Preserves valid, existing access rights.	NA	NA	NA
1110 Permits, subject to reasonable regulations, snowmachines, motorboats, airplanes, and nonmotorized surface transportation methods for traditional activities and access to inholdings on conservation units.	Appli- cable agency	NA	Agencies' regulations and operating procedures allow access.
1111 Authorizes temporary access for purposes of survey, geophysical, exploratory, or other temporary uses.	Appli- cable agency	NA	Agencies' regulations and operating procedures allow temporary access.
1112 Prescribes North Slope Haul Road provisions.	DOI	NA	The haul road is under the control of the state of Alaska. It is open all year to commercial and industrial use as well as to any university activities. For others, the road is open all year to the Dietrich River. A state of Alaska permit is required north of the Dietrich River.
1113 Directs a Stikine River region study and requires a report to the Congress concerning ANILCA's effects on the Canadian government's access in the region.	FS	12/2/85	A draft report on the study is to be presented to ALUC before the end of calendar year 1986. Canada has no immediate need for access through the area. However, the state and local communities want access reserved.

Description of Section (by Title)	Responsible agency	Deadline	Status (as of April 18, 1986)
<u>TITLE XII--FEDERAL-STATE COOPERATION</u>			
1201 Establishes the ALUC and defines its functions. In addition, requires an activity report to the President, Congress, Alaska governor, and Alaska legislature.	ALUC	2/1/81, and annually there- after	The Federal Co-Chairman was confirmed by the U.S. Senate on December 2, 1981, and the governor of Alaska became the State Co-Chairman. ALUC has been active since that date. As required by ANILCA, annual activity reports have been submitted to the President, Congress, Alaska Governor, and Alaska legislature.
1202 Establishes the Federal Coordination Committee and requires that a summary of triennial meetings be published in the <u>Federal Register</u> .	ALUC Federal Co- Chair- man	Once every 4 months	The Federal Coordination Committee was formed, but since the same members were represented on the Council, their efforts were redundant and the Committee formally disbanded in the latter part of calendar year 1982.
1203 Requires that a Bristol Bay cooperative region management plan be prepared and implemented. Also requires that the Bristol Bay plan be submitted to the Congress and/or the Alaska State Legislature if actions require legislation to carry out the plan.	ALUC ⁱ	12/2/83	On 9/13/84, after a 3-1/2-year effort, ALUC approved the Bristol Bay Regional Management Plan and on 10/9/84 sent it to the Secretary of the Interior for consideration. Although, as permitted by law, the state of Alaska was originally a participant in the study, the state withdrew on 8/6/86. However, the governor of Alaska stated that he believed the jointly developed plan created a balanced resource management plan and directed state agencies to adopt the plan as it affects state lands.

ⁱThe Secretary of the Interior and/or the governor of Alaska.

Description of Section (by Title)	Respon- sible agency	Deadline	Status (as of April 18, 1986)
<u>TITLE XIII--ADMINISTRATIVE PROVISIONS</u>			
1301 Requires development and transmittal to appropriate congressional committees of conservation and management plans for 13 park system units established or expanded by ANILCA.	NPS	12/2/85	Management plans have been approved for the following national parks and preserves: Lake Clark (7/84), Kenai Fjords (7/84), Yukon-Charley Rivers (3/85), and Glacier Bay (9/84). The management plans for the following national parks, preserves, and monuments were to be forwarded for review to the Director, NPS, in June 1986: Denali, Gates of the Arctic, Katmai, Kobuk Valley, Noatak, Wrangell-St. Elias, Aniakchak, Bering Land Bridge, and Cape Krusenstern.
1302 Prescribes terms and conditions for land acquisition within conservation units, except forest wilderness.	Appli- cable agency	NA	<p>NPS land protection plans were prepared in conjunction with general management plans.</p> <p>FWS had 10 land exchanges in process.</p> <p>BLM has completed management plans for Steese National Conservation Area and White Mountains National Recreation Area and identified the lands that are needed to complete these units. BLM has not acquired lands in these conservation areas through acquisition or donations, but through several land exchanges made under this section's authority.</p>

Description of Section <u>[by Title]</u>	Respon- sible <u>agency</u> <u>Deadline</u>	Status <u>[as of April 18, 1986]</u>
1303 Prescribes terms and conditions for cabin use and other occupancy on conservation system units.	Appli- cable agency NA	<p>NPS cabin regulations had been prepared and were awaiting approval of the Secretary of the Interior.</p> <p>A 1983 FWS cabin policy for refuges is being revised—final policy is expected in December 1986. The land-use permitting process will be used to implement this section.</p> <p>BLM regulations and the land-use permitting process are used to implement this section.</p> <p>FS has numerous cabins, the majority of which predate ANILCA and may be eligible for permits under this section. FS also is chairing an ALUC work group to develop, to the extent possible, consistent cabin administration policies for all public lands in Alaska.</p>
1304 Authorizes designating or acquiring Alaska archeological and paleontological sites in 4 park units.	NPS NA	No work has been done under this section.
1305 Authorizes that cooperative information and education centers be planned at specific Alaska sites; development requires congressional approval.	ALUC NA	<p>The Tok and Fairbanks information and education centers are completed and operational; the Anchorage center is being held up because of asbestos in the building; and the conceptual plan for the Ketchikan center was approved by the ALUC in February 1986 and the project turned over to FS.</p>

Description of Section <u>(by Title)</u>	Respon- sible <u>agency</u> <u>Deadline</u>	Status <u>(as of April 18, 1986)</u>
1306 Authorizes conservation unit administrative sites and visitor facilities.	Appli- cable agency NA	BLM has not acquired any administrative sites or visitor facilities. FWS has leased or acquired administrative space for all refuges. Visitor facilities have been developed at Kenai, Alaska Maritime, Kodiak, and Tetlin refuges. NPS has leased or acquired some visitor facility and administrative space for all units.
1307 Authorizes continued revenue-producing visitor services and directs that preference be given to Native corporations and local residents for new services.	Appli- cable agency NA	NPS has issued about 250 business licenses for existing and new facilities and has solicited bids on two new activities (Glacier Bay boats). Local preference has been exercised, but no requests for Native corporation preference have been received. NPS provides a copy of all offers for visitor services to the most directly affected Native corporations. A concession contract for the operation of the Russian River Ferry and parking area is the only visitor service on Kenai National Wildlife Refuge that has been initiated by FWS since passage of ANILCA for which section 1307 would apply. This contract was offered to, and declined by, the Cook Inlet Regional Corporation. BLM has not approved any new revenue-producing visitor services.

Description of Section (by Title)	Respon- sible agency	Deadline	Status (as of April 18, 1986)
1308 Directs that a local-hire program be established for individuals who have special knowledge of conservation unit natural or cultural resources; requires reports to the Congress.	DOI's Alaska Coop- erative Plan- ning Group	Periodi- cally	An interagency task force, consisting of representatives of DOI agencies, FS, and Office of Personnel Management, has developed a set of policies and procedures. Program implementation began in fiscal year 1982. FS said that use is limited because jobs are low-paying.
1309 Amends the act that authorized the Klondike Gold Rush National Historical Park regarding lands acquired by donation or exchange.	NA	NA	NA
1310 Permits access to and operation of existing air and water navigation aids, communication sites, and research and monitoring facilities for weather, climate, fisheries, and national defense purposes. Permits new facilities only after consultation with the Secretary of the Interior or Agriculture.	Appli- cable agency	NA	FWS has granted permits to the Coast Guard for navigation aids. FWS is cooperating with agencies to allow operation of existing facilities. No new navigational aids or facilities have been proposed to other agencies, so no action has been necessary.
1311 Withdraws public lands within the Denali Highway area and directs a study and a report to the President and the Congress on the desirability of establishing a Denali Scenic Highway.	BLM, NPS	12/2/83	In March 1984, BLM submitted a report to the Congress recommending that the Denali Scenic Highway not be established. NPS participated in the study, chaired by BLM.
1312 Prescribes White Mountains Recreational Area administrative requirements and purposes.	BLM	NA	See sections 401 and 402.
1313 Prescribes national preserves administrative requirements, including provisions for sport and subsistence hunting and fishing and trapping.	NPS	NA	NPS administers preserves as it administers parks, except that sport hunting and trapping are permitted in preserves.

Description of Section (by Title)	Respon- sible agency	Deadline	Status (as of April 18, 1986)
1314 Acknowledges the state's authority to manage fish and wildlife on public lands and the federal land-managing agencies' authority to manage the lands, and states that fish and wildlife taking shall be in accordance with ANILCA provisions and other applicable state and federal laws.	Appli- cable agency	NA	<p>NPS has signed a memorandum of agreement with the Alaska Department of Fish and Game and is attempting to actively monitor its wildlife resources.</p> <p>FWS and the Alaska Department of Fish and Game have developed a memorandum of agreement to control wildlife harvesting on refuge land.</p> <p>BLM believes no action is necessary because the requirements are already being covered for lands under BLM's control.</p>
1315 Allows certain activities within Alaska wilderness areas and monuments, including aquaculture, use of existing cabins, and new cabin and shelter construction. In addition, requires that existing timber sale contracts in wilderness areas be modified by substituting timber from other lands.	Appli- cable agency	NA	<p>FS directives were completed in July 1982. Construction of fisheries projects will be coordinated with requirements of sections 507, 1303, and 1316. FS timber sale contracts have been modified to accomplish the provision for substituting timber from other lands. FWS has not built new or removed existing cabins in wilderness areas.</p> <p>NPS regulations were published in the <u>Federal Register</u> in June 1981. Cabin regulations had been prepared and were awaiting approval of the Secretary of the Interior.</p>

Description of Section [by Title]	Responsible agency	Deadline	Status [as of April 18, 1986]
1316 Permits using and establishing temporary campsites, tent platforms, shelters, and other temporary facilities related to fish and wildlife taking in units where allowed.	Applicable agency	NA	ALUC developed and approved regulations, which were incorporated into FS directives. Nine parks have determined through the general management plan process that establishing and using new temporary facilities would be a significant expansion, which would be detrimental to the purposes of the park. Tent platforms, shelters, and other facilities are covered by special use permits issued by FWS on refuge lands.
1317 Requires that all park system and refuge system lands not designated by ANILCA as wilderness be reviewed for wilderness designation, and that the findings be reported to the President. The President shall report to the Congress on wilderness recommendations by 12/2/87.	NPS, FWS	12/2/85	Wilderness suitability determinations made as part of the general management planning process by NPS. Recommendations and EISs will be completed in early 1988. FWS wilderness reviews and recommendations are part of the refuge conservation plans. These reviews will be completed by 12/2/87.
1318 Authorizes assistance and technical expertise to Native corporations and groups in statewide cultural programs.	NPS	NA	Occasional requests for assistance are accommodated, although NPS has no specific funds for this program.
1319 States that ANILCA does not limit or restrict U.S. power and authority or change federal or state water resources development jurisdiction.	NA	NA	NA
1320 States that additional Alaska areas may be identified and recommended to the Congress as suitable wilderness areas.	BLM	NA	Since BLM is not required to conduct specific wilderness studies under this provision, it considers wilderness as a resource value in its planning process.
1321 Authorizes appropriation of funds to carry out the ANILCA provisions.	NA	NA	NA

Description of Section (by Title)	Respon- sible	Deadline	Status (as of April 18, 1986)
1322 Rescinds certain 1978-80 public land withdrawals and reservations.	NA	NA	The state of Alaska relinquished its selections on 1/9/81, making this section effective.
1323 Provides access to nonfederal lands within forest system boundaries and nonfederal land surrounded by public lands managed under the Federal Land Policy and Management Act.	FS, BLM	NA	FS and BLM regulations and procedures provide for access.
1324 Neither prohibits nor mandates agricultural development within the Yukon Flats Refuge.	FWS	NA	No applications for agricultural development have been submitted to FWS.
1325 Neither prohibits nor mandates the Terror Lake Hydroelectric Project construction within the Kodiak Refuge.	NA	NA	The hydroelectric project was completed in August 1984. FWS has continuing responsibility for conducting environmental studies regarding the project.
1326 Limits future Alaska public land withdrawals and prohibits further studies to establish a conservation unit unless authorized by ANILCA or the Congress.	NA	NA	NA
1327 States that ANILCA does not impose additional requirements regarding the proposed Alaska gas pipeline construction and operation.	NA	NA	NA
1328 Approves, effective 5/31/81, with exceptions, public land entry applications made pursuant to 4 previous public lands acts and prescribes adjudication procedures for those applications.	BLM	5/31/81	As of 4/18/86, 62 of the Alaska settlement claims pending before the department on 12/2/80 remain active. Of these, 31 are considered legislatively approved pursuant to section 1328; the balance do not qualify for legislative approval and require full adjudication for a number of reasons, including validly filed protests, locations within a conservation unit, or litigation. Also pending are 534 claims filed subsequent to enactment of ANILCA.

Description of Section (by Title)	Respon- sible agency	Deadline	Status (as of April 18, 1986)
<u>TITLE XIV—AMENDMENTS TO THE ALASKA NATIVE CLAIMS SETTLEMENT ACT AND RELATED PROVISIONS</u>			
1401 Amends the Alaska Native Claims Settlement Act concerning Native corporation stock reissuance and stock alienation and transfer restrictions.	NA	NA	NA
1402 Amends the Alaska Native Claims Settlement Act concerning land selection requirements.	BLM	NA	Afognak Native Corporation (a merged corporation for the villages of Afognak and Port Lions) has requested a waiver of the section requirement for the Port Lions selection around Afognak Lake. However, since Port Lions is within 3,698 acres of their entitlement [pending submerged lands review], they have agreed to hold the request until after the survey. Iliamna and Iqiuq, in the Bristol Bay region, have requested waivers of the section requirement.
1403 Amends the Alaska Native Claims Settlement Act concerning retained mineral estate.	NA	NA	NA
1404 Amends the Alaska Native Claims Settlement Act concerning reconveyance vesting dates.	NA	NA	NA
1405 Amends the Alaska Native Claims Settlement Act concerning municipal corporation reconveyance.	NA	NA	NA
1406 Amends the Alaska Native Claims Settlement Act concerning partial estate conveyances, and requires that claims to subsurface rights within refuges must be declared by 5/31/81.	BLM	5/31/81	On 5/7/81, BLM notified regional corporations of their rights under this section. Koniag, Inc. asserted its right to the subsurface estate underlying a Native place of residence.
1407 Amends the Alaska Native Claims Settlement Act concerning shareholder homesite conveyance.	NA	NA	NA
1408 Amends the Alaska Native Claims Settlement Act concerning land taxation and basis.	NA	NA	NA

Description of Section (by Title)	Respon- sible agency	Deadline	Status [as of April 18, 1986]
1409 Amends the Alaska Native Claims Settlement Act concerning fire protection.	BLM	NA	NA
1410 Amends the Alaska Native Claims Settlement Act authorizing interim conveyances and prescribes procedures for underselections.	BLM	NA	BLM is recalculating the acres to be charged against village entitlements in accordance with the amended regulations, 43 CFR 2650.5-1(b). As of 4/18/86, out of 88 villages reviewed, 4 are underselected. BLM is working with the villages to identify additional lands for withdrawal.
1411 Amends Public Law 94-204 concerning the proceeds obtained from lands withdrawn for Cook Inlet's selection and requires such proceeds not deposited into an escrow account to be identified, deposited, and paid to the corporation.	BIA ^J	12/2/82, or 2 years after conveyance	FS records show that \$1,227,900 has been placed in escrow; \$555,600 has been paid out. The balance will be paid out when the lands are conveyed to the Native corporations.
1412 Declares that the Alaska Native Claims Settlement Act provisions are applicable to ANILCA except as otherwise provided.	NA	NA	NA
1413 Requires that Native group corporations be paid \$50,000 to \$100,000 for planning and development purposes.	BIA	NA	Five Native group corporations received payments in January 1985 ranging from \$67,500 to \$100,000 each.
1414 Specifies deadlines for deposits and distributions from the Alaska Native Fund.	BIA	Ini- tially 12/12/80 and 3/31/81	Final appropriation of \$30 million to the Alaska Native Fund was deposited in December 1980 and disbursed by 3/31/81, except \$7.4 million was held in escrow until appeals were settled. Final payment was made on 12/10/81.

^JThe Bureau of Indian Affairs maintains the escrow account and the land managing agencies are to identify the proceeds.

Description of Section (by Title)	Respon- sible agency	Deadline	Status (as of April 18, 1986)
1415 Allows relinquishing state of Alaska or Native selections partly within conservation units.	NA	NA	On 1/9/81, the state issued a blanket relinquishment of selections made on and after 11/14/78. On 10/16/81, it provided BLM with a list identifying relinquishments for selections entirely within units. Two Doyon villages selected and received conveyance of lands in less than whole sections since they abutted the boundary of a conservation unit.
1416 If certain Natives are certified under the Alaska Native Claims Settlement Act, provides selection entitlements within Bristol Bay corporation lands.	BIA, BLM	NA	According to BIA, this group has been determined ineligible for certification because Natives are not the majority of residents. No action taken by BLM because Natives are appealing the certification ruling.
1417 Authorizes and directs that certain Pribilof Islands areas be acquired and administered as an Alaska Maritime Refuge subunit.	FWS	NA	These areas, acquired in March 1985, are currently administered by the Alaska Maritime Refuge.
1418 Withdraws certain lands for NANA and Cook Inlet Regional Corporations selection by 5/31/81.	BLM	5/31/81 for selec- tion	NANA Corporation made its selections on 5/22/81; and on 5/16/83, BLM conveyed 22,176 acres to NANA. The remaining selections by NANA and Cook Inlet Regional Corporations have not been prioritized.

Description of Section (by Title)	Responsible agency	Deadline	Status (as of April 18, 1986)
1419 Authorizes a land selection exchange between DOI and Doyon, Limited, and specifies exchange procedures. Doyon shall relinquish its selections by 3/2/81; DOI shall determine the acreage relinquished and convey other lands selected by Doyon within 1 year of such determination. In addition, DOI shall	BLM	3/2/81 for relin- quish- ment	Doyon, Limited, relinquished its selections on 2/27/81. Since the lands involved a national park, BLM requested information from NPS. BLM received the information and has identified the relinquished acreage. The acreage data was submitted by BLM to Doyon for their agreement in December 1981. Doyon has not responded and no new selections have been filed.
—review Doyon's applications for rights-of-way through the Yukon-Charley Rivers Preserve;	NPS	NA	Doyon has not applied for a right-of-way.
—grant right-of-way requested, except if it involves the Charley River or its watershed, if it is determined that no economically feasible or reasonable alternative route exists; and	NPS	NA	NA
—issue regulations to minimize the adverse impact of such right-of-way on conservation units.	NPS	NA	No right-of-way regulations have been issued.
1420 Sets aside the Hodzana River area to be managed as a study area by FWS in cooperation with Doyon, Limited; authorizes Doyon to conduct investigations within the study area, including core drilling to determine minerals therein, and authorizes necessary regulations to protect the water quality and quantity.	FWS	NA	Doyon, Limited, has completed preliminary investigations on the Hodzana River area in cooperation with FWS.
1421 Directs that certain lands be conveyed to the state of Alaska if certain terms and conditions are met by Doyon, Limited.	BLM	NA	The conveyance to the state depended on final settlement with Doyon under section 1419. Doyon filed its relinquishment on 2/27/81. The state-selected lands outside the Rampart withdrawal were conveyed. The remaining lands are awaiting the revocation of the Rampart Power Project withdrawal, which is being processed.

Description of Section [by Title]	Respon- sible agency	Deadline	Status [as of April 18, 1986]
1422 Provides that if Doyon, Limited, files for dismissal of a suit against DOI by 1/31/81, Doyon is permitted to identify, by 12/2/81, certain lands in partial satisfaction of its Alaska Native Claims Settlement Act entitlement. Requires DOI to convey title to that land.	BLM	1/31/81	Doyon, Limited's suit against DOI for dis- missal was dismissed on 12/5/80. Doyon then identified previous selections to satisfy its entitlement. Also, the Fortymile wild river boundary was established, but Doyon requested a delay in conveyance until it has reviewed its priorities.
1423 Withdraws certain lands for Ahtna, Inc., selection by 5/31/81, and requires DOI to convey title to that land.	BLM	5/31/81	Ahtna, Inc., filed its selections on 2/27/81. Conveyance of this land is a low priority now and has not occurred.
1424 Withdraws certain lands for Bering Straits Native Corporation selection by 5/31/81, and requires DOI to convey title to that land. Also, conveys certain lands to the Gambell and Savoonga Native Corporations.	BLM	5/31/81	BLM has not conveyed the land to Bering Straits because no priorities have been submitted. No BLM action is required to convey lands on the Penuk Islands to Gambell and Savoonga Native corporations.
1425 Provides for settling certain claims and litigation to consolidate ownership among the United States; the state of Alaska; the Municipality of Anchorage; Eklutna, Inc.; and Cook Inlet Region, Inc.	BLM	NA	The North Anchorage Land Agreement was signed on 3/15/82, by the state of Alaska, Municipality of Anchorage, and Eklutna. BLM has conveyed 635 acres to Eklutna under the terms of the agreement. BLM issued 13 decisions approving lands for conveyance, and 12 of these are under appeal before the Interior Board of Land Appeals.
1426 Provides for settling certain claims and litigation between the Native Village of Eklutna and the Municipality of Anchorage.	BLM	NA	No further action is required of BLM.
1427 Directs certain land conveyances to Koniag Village and Regional Corporations, and authorizes cooperative agreements for access and management of Afognak Island.	BLM	NA	BLM issued a joint venture decision approving lands for conveyance to Koniag Village and Regional Corporations on 8/14/85. This decision is under appeal to the Interior Board of Land Appeals.

Description of Section (by Title)	Respon- sible agency	Deadline	Status (as of April 18, 1986)
1428 Requires DOI to convey certain lands to three village corporations and requires	BLM	NA	NA
--the corporations to identify and prioritize certain selections by 3/2/81, and	BLM	3/21/81 for selec- tion	The three village corporations filed priorities for national forest lands on 2/25/81.
--DOI to process those conveyances in the priority listed, subject to certain exceptions.	BLM	NA	BLM's conveyance of these lands is in process. The first conveyance occurred in fiscal year 1986. Additional conveyances are planned in fiscal years 1987-88.
1429 Provides for selecting, by 5/31/81, and conveying lands to Chugach Natives, Inc.	BLM	5/31/81 for selec- tion	The study required by section 1430 was completed and transmitted by the President to the Congress on 12/8/81. Negotiations subsequent to the study's completion culminated in signing a final settlement agreement on 1/7/83. BLM has completed, or is processing, 31 conveyances on about 200,000 acres of land.
1430 Directs that a Chugach region landownership and use pattern study be conducted to identify lands that can be conveyed to Chugach Natives, Inc., and requires the President to report to the Congress.	ALUC ^k	12/2/81	See status statement in section 1429.

^kThe Secretaries of Agriculture and the Interior; ALUC; Chugach Natives, Inc.; and the state of Alaska are to participate in this study. DOI delegated lead responsibility to ALUC.

Description of Section [by Title]	Respon- sible agency	Deadline	Status [as of April 18, 1986]
1431 Provides for land exchanges between DOI and the Arctic Slope Regional Corporation. In addition,	BLM, NPS	NA	NA
—provides for Kurupa Lake area oil and gas operations and directs that a pipeline right-of-way be granted across certain public lands upon application by the Arctic Slope Regional Corporation,	BLM, NPS	NA	The land exchange involving the Karupa Lake area was agreed to on 12/9/81. BLM conveyed 5,588 acres to the Arctic Slope Regional Corporation on 1/2/82. BLM has not granted Arctic Slope the pipeline right-of-way because Arctic Slope has not applied for it. Arctic Slope also did not respond to BLM's 1982 letter that asked the corporation to disclose the action it was going to take.
—authorizes a land exchange with Kaktovik Inupiat Corporation, and	BLM, FWS	NA	Under the terms and conditions dated 6/29/79, and as authorized by section 1431 of ANILCA, Kaktovik Inupiat Corporation was to receive conveyance not later than 7/31/86. By exchange agreement, Arctic Slope Regional Corporation will receive the subsurface.
—directs conveyance of certain lands to the Ukpeagvik Inupiat Corporation.	BLM	NA	Ukpeagvik Inupiat Corporation exchange agreement for the Naval Arctic Research Laboratory was signed on 2/7/86. Conveyance was to occur by 9/30/86.
1432 Provides for implementing certain land settlement agreements involving the United States, Cook Inlet Region, Inc., and Salamatof Native Corporation, Inc.	BLM, FWS	NA	Under the settlement agreement, BLM has conveyed about 16,600 acres to Salamatof and 168 acres of subsurface to the Cook Inlet Region, Inc. The lands were removed from the Kenai National Moose Range by Public Land Order 6590 upon conveyance.
1433 Withdraws certain lands for selection, by 5/31/81, and conveyance to Bristol Bay Native Corporation.	BLM	5/31/81 for selec- tion	Bristol Bay filed its selection on 1/23/81. No action has been taken on this selection because no priorities were submitted.

Description of Section [by Title]	Respon- sible agency	Deadline	Status [as of April 18, 1986]
1434 Directs conveying certain lands to Shee Atika, Inc., and Sealaska, Inc.	BLM	NA	BLM conveyed 33 acres to Shee Atika on 3/21/86. The underlying subsurface was conveyed to Sealaska, Inc.
1435 Amends Public Law 94-204 concerning Cook Inlet Region, Inc., land selections. Provides that the General Services Administration (GSA) may tender to DOI surplus lands to be offered to Cook Inlet, Cook Inlet Region, Inc.; DOI; and/or GSA are to complete the pool of lands to be offered. Also provides that	BLM, GSA	7/15/82	From January 1983 to January 1988, Cook Inlet bid successfully on 15 complete parcels of federal surplus lands pool property. About 87,180 acres have been conveyed to Cook Inlet as a result of these bids.
--the Secretary of the Treasury establish a surplus property account for Cook Inlet Region, Inc., and	Secre- tary of the Treas- ury	NA	The surplus property account was never established by the Secretary of the Treasury. However, DOI established and maintains this account.
--DOI report to the Congress on implementation of this section.	DOI	1/15/82	The deadline of 1/15/82 was extended to 7/85 by Public Law 97-488. However, the extended deadline date was not met, but DOI expected to issue the report to the Congress in late 1986.
1436 Withdraws for 1 year certain lands upon state of Alaska relinquishment for selection and conveyance to the Inalik and Bering Straits Native Corporations.	BLM	1 yr after relin- quish- ment	The state lands had been relinquished and were conveyed on 7/9/81.
1437 Prescribes that if Native corporations submit certain documents to DOI, the procedures contained apply for Native corporation land conveyances and resolving disputes over land selection rights and village corporation boundaries.	BLM	5/31/81, or 180 days from eligi- bility	One conveyance occurred in accordance with this section. Tetlin Corporation requested expedited conveyance on 5/8/81; title to 743,159 acres was granted on 8/25/81.

Description of Section [by Title]	Respon- sible agency	Deadline	Status [as of April 18, 1986]
<u>TITLE XV--NATIONAL NEED MINERAL ACTIVITY RECOMMENDATION PROCESS</u>			
1501 States that the national need recommendation process specified in section 1502 applies to all public lands except NPS and the Arctic National Wildlife Refuge lands.	NA	NA	NA
1502 Prescribes presidential recommendation to the Congress for mineral exploration, development, or extraction in specified public land areas where such activity is not permitted under ANILCA or other law.	The Presi- dent	NA	Federal agencies have not been assigned a role in this section. GS is doing work to identify minerals on federal lands in Alaska through its Alaska Mineral Resource Assessment Program (see section 1010).
1503 Sets forth congressional procedures for considering Presidential national need recommendation.	The Con- gress	NA	NA

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