

113TH CONGRESS  
1ST SESSION

# S. 340

To provide for the settlement of certain claims under the Alaska Native Claims Settlement Act, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 14, 2013

Ms. MURKOWSKI (for herself and Mr. BEGICH) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To provide for the settlement of certain claims under the Alaska Native Claims Settlement Act, 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 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Southeast Alaska Na-  
5 tive Land Entitlement Finalization and Jobs Protection  
6 Act”.

7 **SEC. 2. DEFINITIONS.**

8 In this Act:

1           (1) MAPS.—The term “maps” means the maps  
2           entitled “Sealaska Land Entitlement Finalization”,  
3           numbered 1 through 17 and dated October 17,  
4           2012, and numbered 18 and dated December 21,  
5           2012.

6           (2) SEALASKA.—The term “Sealaska” means  
7           the Sealaska Corporation, a Regional Native Cor-  
8           poration established under the Alaska Native Claims  
9           Settlement Act (43 U.S.C. 1601 et seq.).

10          (3) SECRETARY.—The term “Secretary” means  
11          the Secretary of the Interior.

12          (4) STATE.—The term “State” means the State  
13          of Alaska.

14   **SEC. 3. FINALIZATION OF ENTITLEMENT.**

15          (a) IN GENERAL.—If, not later than 90 days after  
16          the date of enactment of this Act, the Secretary receives  
17          a corporate resolution adopted by the board of directors  
18          of Sealaska agreeing to accept the conveyance of land de-  
19          scribed in subsection (b) in accordance with this Act as  
20          full and final satisfaction of the remaining land entitle-  
21          ment of Sealaska under section 14(h) of the Alaska Native  
22          Claims Settlement Act (43 U.S.C. 1613(h)), the Secretary  
23          shall—

24                 (1) implement the provisions of this Act; and

1           (2) charge the entitlement pool under section  
2           14(h)(8) of the Alaska Native Claims Settlement Act  
3           (43 U.S.C. 1613(h)(8)) 70,075 acres, reduced by the  
4           number of acres deducted under subsection (b)(2),  
5           in fulfillment of the remaining land entitlement for  
6           Sealaska under that Act, notwithstanding whether  
7           the surveyed acreage of the 18 parcels of land gen-  
8           erally depicted on the maps as “Sealaska Selections”  
9           and patented under section 4 is less than or more  
10          than 69,585 acres, reduced by the number of acres  
11          deducted under subsection (b)(2).

12          (b) FINAL ENTITLEMENT.—

13           (1) IN GENERAL.—Except as provided in para-  
14          graph (2), the land described in subsection (a) shall  
15          consist of—

16           (A) the 18 parcels of Federal land com-  
17          prising approximately 69,585 acres that is gen-  
18          erally depicted as “Sealaska Selections” on the  
19          maps; and

20           (B) a total of not more than 490 acres of  
21          Federal land for cemetery sites and historical  
22          places comprised of parcels that are applied for  
23          in accordance with section 5.

24          (2) DEDUCTION.—

1           (A) IN GENERAL.—The Secretary shall de-  
2           duct from the number of acres of Federal land  
3           described in paragraph (1)(A) the number of  
4           acres of Federal land for which the Secretary  
5           has issued a conveyance during the period be-  
6           ginning on August 1, 2012, and ending on the  
7           date of receipt of the resolution under sub-  
8           section (a).

9           (B) AGREEMENT.—The Secretary, the Sec-  
10          retary of Agriculture, and Sealaska shall nego-  
11          tiate in good faith to make a mutually agree-  
12          able adjustment to the parcel of Federal land  
13          generally depicted on the maps entitled  
14          “Sealaska Land Entitlement Finalization”,  
15          numbered 1 of 17, and dated October 17, 2012,  
16          and the map numbered 18 and dated December  
17          21, 2012, to implement the deduction of acres  
18          required by subparagraph (A).

19          (c) EFFECT OF ACCEPTANCE.—The resolution filed  
20          by Sealaska in accordance with subsection (a) shall—

21               (1) be final and irrevocable; and

22               (2) without any further administrative action by  
23          the Secretary, result in—

24                       (A) the relinquishment of all existing selec-  
25                       tions made by Sealaska under subsection

1 14(h)(8) of the Alaska Native Claims Settle-  
2 ment Act (43 U.S.C. 1613(h)(8)); and

3 (B) the termination of all withdrawals by  
4 section 16 of the Alaska Native Claims Settle-  
5 ment Act (43 U.S.C. 1615), except to the ex-  
6 tent a selection by a Village Corporation under  
7 subsections (b) and (d) of section 16 of the  
8 Alaska Native Claims Settlement Act (43  
9 U.S.C. 1615) remains pending, until the date  
10 on which those selections are resolved.

11 (d) FAILURE TO ACCEPT.—If Sealaska fails to file  
12 the resolution in accordance with subsection (a)—

13 (1) the provisions of this Act shall cease to be  
14 effective; and

15 (2) the Secretary shall, not later than 27  
16 months after the date of enactment of this Act, com-  
17 plete the interim conveyance of the remaining land  
18 entitlement to Sealaska under section 14(h)(8) of  
19 the Alaska Native Claims Settlement Act (43 U.S.C.  
20 1613(h)(8)) from prioritized selections on file with  
21 the Secretary on the date of enactment of this Act.

22 (e) SCOPE OF LAW.—Except as provided in sub-  
23 sections (d) and (f), this Act provides the exclusive author-  
24 ity under which the remaining land entitlement of

1 Sealaska under section 14(h) of the Alaska Native Claims  
2 Settlement Act (43 U.S.C. 1613(h)) may be fulfilled.

3 (f) EFFECT.—Nothing in this Act affects any land  
4 that is—

5 (1) the subject of an application under sub-  
6 section (h)(1) of section 14 of the Alaska Native  
7 Claims Settlement Act (43 U.S.C. 1613) that is  
8 pending on the date of enactment of this Act; and

9 (2) conveyed in accordance with that sub-  
10 section.

11 **SEC. 4. CONVEYANCES TO SEALASKA.**

12 (a) INTERIM CONVEYANCE.—Subject to valid existing  
13 rights, subsections (c), (d), and (e), section 3(b), and sec-  
14 tion 6(a), the Secretary shall complete the interim convey-  
15 ance of the 18 parcels of Federal land comprising approxi-  
16 mately 69,585 acres generally depicted on the maps by  
17 the date that is 60 days after the date of receipt of the  
18 resolution under section 3(a), subject to the Secretary  
19 identifying and reserving, by the date that is 2 years after  
20 the date of enactment of this Act, any easement that could  
21 have been reserved in accordance with this Act prior to  
22 the interim conveyance.

23 (b) WITHDRAWAL.—

1           (1) IN GENERAL.—Subject to valid existing  
2 rights, the Federal land described in subsection (a)  
3 is withdrawn from—

4           (A) all forms of appropriation under the  
5 public land laws;

6           (B) location, entry, and patent under the  
7 mining laws;

8           (C) disposition under laws relating to min-  
9 eral or geothermal leasing; and

10          (D) selection under the Act of July 7,  
11 1958 (commonly known as the “Alaska State-  
12 hood Act”) (48 U.S.C. note prec. 21; Public  
13 Law 85–508).

14          (2) TERMINATION.—The withdrawal under  
15 paragraph (1) shall remain in effect until—

16          (A) if Sealaska fails to file a resolution in  
17 accordance with section 3(a), the date that is  
18 90 days after the date of enactment of this Act;  
19 or

20          (B) the date on which the Federal land is  
21 conveyed under subsection (a).

22          (c) TREATMENT OF LAND CONVEYED.—Except as  
23 otherwise provided in this Act, any land conveyed to  
24 Sealaska under subsection (a) shall be—

1           (1) considered to be land conveyed by the Sec-  
2           retary under section 14(h)(8) of the Alaska Native  
3           Claims Settlement Act (43 U.S.C. 1613(h)(8)); and

4           (2) subject to all laws (including regulations)  
5           applicable to entitlements under section 14(h)(8) of  
6           the Alaska Native Claims Settlement Act (43 U.S.C.  
7           1613(h)(8)), including section 907(d) of the Alaska  
8           National Interest Lands Conservation Act (43  
9           U.S.C. 1636(d)).

10          (d) EASEMENTS.—

11           (1) PUBLIC EASEMENTS.—The deeds of convey-  
12           ance for the land under subsection (a) shall be sub-  
13           ject to the reservation of public easements under  
14           section 17(b) of the Alaska Native Claims Settle-  
15           ment Act (43 U.S.C. 1616(b)).

16           (2) CONSERVATION EASEMENTS.—

17           (A) IN GENERAL.—In the deeds of convey-  
18           ance for the land under subsection (a), the Sec-  
19           retary shall reserve a conservation easement to  
20           protect the aquatic and riparian habitat extend-  
21           ing 100 feet on each side of the anadromous  
22           water bodies depicted as “100 Foot Conserva-  
23           tion Easement” on the maps numbered 3, 4,  
24           and 6.



1 (B) PROHIBITION.—The commercial har-  
2 vest of timber within the conservation ease-  
3 ments described in subparagraph (A) shall be  
4 prohibited, except that Sealaska may, for the  
5 purpose of harvesting timber outside of the con-  
6 servation easement—

7 (i) maintain roads within the con-  
8 servation easement that are in existence on  
9 the date of enactment of this Act; and

10 (ii) construct temporary roads and  
11 yarding corridors across the conservation  
12 easements in accordance with the applica-  
13 ble National Forest System construction  
14 standards.

15 (C) ADMINISTRATION.—The Secretary of  
16 Agriculture shall administer the conservation  
17 easements described in subparagraph (A).

18 (3) RESEARCH EASEMENT.—In the deed of con-  
19 veyance for the land generally depicted on the map  
20 entitled “Sealaska Land Entitlement Finalization”,  
21 numbered 7 of 17, and dated October 17, 2012, the  
22 Secretary shall reserve an easement—

23 (A) to access and continue Forest Service  
24 research activities on the study plots located on  
25 the land; and

1 (B) that shall remain in effect for a 10-  
2 year period beginning on the date of enactment  
3 of this Act.

4 (4) KOSCUISKO ISLAND ROAD EASEMENT.—

5 (A) IN GENERAL.—The deeds of convey-  
6 ance for the land on Koscuisko Island under  
7 subsection (a) shall grant to Sealaska an ease-  
8 ment providing access to and use by Sealaska  
9 of the log transfer facility at Shipley Bay on  
10 Koscuisko Island, subject to—

11 (i) the agreement under subparagraph  
12 (C); and

13 (ii) the agreement under section 6(b).

14 (B) SCOPE OF THE EASEMENT.—The ease-  
15 ment under subparagraph (A) shall enable  
16 Sealaska—

17 (i) to construct, use, and maintain a  
18 road connecting the Forest Service Road  
19 known as “Cape Pole Road” to the Forest  
20 Service Road known as “South Shipley  
21 Bay Road” within the corridor depicted on  
22 the map entitled “Sealaska Land Entitle-  
23 ment Finalization”, numbered 3 of 17, and  
24 dated October 17, 2012;

1 (ii) to use, maintain, and if necessary,  
2 reconstruct the Forest Service Road known  
3 as “South Shipley Bay Road” referred to  
4 in clause (i) to access the log transfer facil-  
5 ity at Shipley Bay; and

6 (iii) to use, maintain, and expand the  
7 log transfer and sort yard facility at Ship-  
8 ley Bay that is within the area depicted on  
9 the map entitled “Sealaska Land Entitle-  
10 ment Finalization”, numbered 3 of 17 and  
11 dated October 17, 2012.

12 (C) ROADS AND FACILITIES USE AGREE-  
13 MENT.—In addition to the agreement under  
14 section 6(b), the Secretary and Sealaska shall  
15 enter into an agreement relating to the access,  
16 use, maintenance, and improvement of the  
17 roads and facilities under this paragraph.

18 (D) DETERMINATION OF LOCATION; LEGAL  
19 DESCRIPTION.—Sealaska shall—

20 (i) in consultation with the Secretary,  
21 determine the location within the corridor  
22 of the centerline of the road described in  
23 subparagraph (B)(i); and

24 (ii) provide to the Secretary a legal  
25 description of the centerline acceptable for

1           granting the easement described in sub-  
2           paragraph (B)(i).

3           (e) HUNTING, FISHING, AND RECREATION.—

4           (1) IN GENERAL.—Any land conveyed under  
5           subsection (a) that is located outside a withdrawal  
6           area designated under section 16(a) of the Alaska  
7           Native Claims Settlement Act (43 U.S.C. 1615(a))  
8           shall remain open and available to subsistence uses,  
9           as that term is defined in section 803 of the Alaska  
10          National Interest Lands Conservation Act (16  
11          U.S.C. 3113), and noncommercial recreational hunt-  
12          ing and fishing and other recreational uses by the  
13          public under applicable law—

14                 (A) without liability on the part of  
15                 Sealaska, except for willful acts, to any user as  
16                 a result of the use; and

17                 (B) subject to—

18                         (i) any reasonable restrictions that  
19                         may be imposed by Sealaska on the public  
20                         use—

21                                 (I) to ensure public safety;

22                                 (II) to minimize conflicts between  
23                                 recreational and commercial uses;

24                                 (III) to protect cultural re-  
25                                 sources;

1 (IV) to conduct scientific re-  
2 search; or

3 (V) to provide environmental pro-  
4 tection; and

5 (ii) the condition that Sealaska post  
6 on any applicable property, in accordance  
7 with State law, notices of the restrictions  
8 on use.

9 (2) EFFECT.—Access provided to any individual  
10 or entity under paragraph (1) shall not—

11 (A) create an interest in any third party in  
12 the land conveyed under subsection (a); or

13 (B) provide standing to any third party in  
14 any review of, or challenge to, any determina-  
15 tion by Sealaska with respect to the manage-  
16 ment or development of the land conveyed  
17 under subsection (a), except as against  
18 Sealaska for the management of public access  
19 under paragraph (1).

20 **SEC. 5. CEMETERY SITES AND HISTORICAL PLACES.**

21 (a) IN GENERAL.—Notwithstanding section  
22 14(h)(1)(E) of the Alaska Native Claims Settlement Act  
23 (43 U.S.C. 1613(h)(1)(E)), Sealaska may submit applica-  
24 tions for the conveyance under section 14(h)(1)(A) of the  
25 Alaska Native Claims Settlement Act (43 U.S.C.

1 1613(h)(1)(A) of not more than 76 cemetery sites and  
2 historical places—

3 (1) that are listed in the document entitled  
4 “Sealaska Cemetery Sites and Historical Places”  
5 and dated October 17, 2012;

6 (2) that are cemetery sites and historical places  
7 included in the report by Wilsey and Ham, Inc., en-  
8 titled “1975 Native Cemetery and Historic Sites of  
9 Southeast Alaska (Preliminary Report)” and dated  
10 October 1975;

11 (3) for which Sealaska has not previously sub-  
12 mitted an application; and

13 (4) that are not located within a conservation  
14 system unit (as defined in section 102 of the Alaska  
15 National Interest Lands Conservation Act (16  
16 U.S.C. 3102)).

17 (b) PROCEDURE FOR EVALUATING APPLICATIONS.—

18 Except as otherwise provided in this section, the Secretary  
19 shall consider all applications submitted under this section  
20 in accordance with the criteria and procedures set forth  
21 in applicable regulations in effect as of the date of enact-  
22 ment of this Act.

23 (c) CONVEYANCE.—The Secretary may convey ceme-  
24 tery sites and historical places under this section that re-

1 sult in the conveyance of a total of approximately 490  
 2 acres of Federal land comprised of parcels that are—

3 (1) applied for in accordance with this section;

4 and

5 (2) subject to—

6 (A) valid existing rights;

7 (B) the public access provisions of sub-  
 8 section (g);

9 (C) the condition that the conveyance of  
 10 land for the site listed under subsection (a)(1)  
 11 as “Bay of Pillars Portage” is limited to 25  
 12 acres in T.60 S., R.72 E., Sec. 28, Copper  
 13 River Meridian; and

14 (D) the condition that any access to or use  
 15 of the cemetery sites and historical places shall  
 16 be consistent with the management plans for  
 17 adjacent public land, if the management plans  
 18 are more restrictive than the laws (including  
 19 regulations) applicable under subsection (i).

20 (d) TIMELINE.—No application for a cemetery site  
 21 or historical place may be submitted under subsection (a)  
 22 after the date that is 2 years after the date of enactment  
 23 of this Act.

24 (e) CONSULTATION WITH RECOGNIZED TRIBAL EN-  
 25 TITY.—Sealaska shall—

1           (1) consult with any affected federally recog-  
2 nized Indian tribe before submitting any application  
3 for a cemetery site or historical place located within  
4 the traditional territory of the Indian tribe; and

5           (2) include with each application described in  
6 paragraph (1) a statement that the required con-  
7 sultation was carried out in accordance with that  
8 paragraph.

9           (f) SELECTION OF ADDITIONAL CEMETERY SITES.—  
10 If Sealaska submits timely applications to the Secretary  
11 in accordance with subsections (a), (d), and (e), for all  
12 76 sites listed under subsection (a)(1), and the Secretary  
13 rejects any of those applications in whole or in part—

14           (1) not later than 2 years after the date on  
15 which the Secretary completes the conveyance of eli-  
16 gible cemetery sites and historical places applied for  
17 under subsection (a), and subject to subsection (e),  
18 Sealaska may submit applications for the conveyance  
19 under section 14 (h)(1)(A) of the Alaska Native  
20 Claims Settlement Act (43 U.S.C. 1613(h)(1)(A)) of  
21 additional cemetery sites that are not located in a  
22 conservation system unit described in (a)(4), the  
23 total acreage of which, together with the cemetery  
24 sites and historical places previously conveyed by the



1 Secretary under subsection (c), shall not exceed 490  
2 acres; and

3 (2) the Secretary shall—

4 (A) consider any applications for the con-  
5 veyance of additional cemetery sites in accord-  
6 ance with subsection (b); and

7 (B) if the applications are approved, pro-  
8 vide for the conveyance of the sites in accord-  
9 ance with subsection (c).

10 (g) PUBLIC ACCESS.—

11 (1) IN GENERAL.—Subject to paragraph (2),  
12 any land conveyed under this section shall be subject  
13 to—

14 (A) the reservation of public easements  
15 under section 17(b) of the Alaska Native  
16 Claims Settlement Act (43 U.S.C. 1616(b));

17 (B) public access across the conveyed land  
18 in cases in which no reasonable alternative ac-  
19 cess around the land is available, without liabil-  
20 ity to Sealaska, except for willful acts, to any  
21 user by reason of the use; and

22 (C) public access within 25 feet of any  
23 Class I stream described in section 705(e) of  
24 the Alaska National Interest Lands Conserva-  
25 tion Act (16 U.S.C. 539d(e)) for noncommercial

1 recreational and subsistence fishing, without li-  
2 ability to Sealaska, except for willful acts, to  
3 any user by reason of the use.

4 (2) LIMITATIONS.—The public access and use  
5 under subparagraphs (B) and (C) of paragraph (1)  
6 shall be subject to—

7 (A) any reasonable restrictions that may  
8 be imposed by Sealaska on the public access  
9 and use—

10 (i) to ensure public safety;

11 (ii) to protect and conduct research on  
12 the historic, archaeological, and cultural  
13 resources of the conveyed land; or

14 (iii) to provide environmental protec-  
15 tion;

16 (B) the condition that Sealaska post on  
17 any applicable property, in accordance with  
18 State law, notices of the restrictions on the  
19 public access and use; and

20 (C) the condition that the public access  
21 and use shall not be incompatible with or in  
22 derogation of the values of the area as a ceme-  
23 tery site or historical place, as provided in sec-  
24 tion 2653.11 of title 43, Code of Federal Regu-  
25 lations (or a successor regulation).

1           (3) EFFECT.—Access provided to any individual  
2 or entity by paragraph (1) shall not—

3           (A) create an interest in any third party in  
4 the land conveyed under this section; or

5           (B) provide standing to any third party in  
6 any review of, or challenge to, any determina-  
7 tion by Sealaska with respect to the manage-  
8 ment or development of the land conveyed  
9 under this section, except as against Sealaska  
10 for the management of public access under  
11 paragraph (2).

12 (h) PROHIBITION ON TRANSFER OR LOSS.—

13           (1) PROHIBITION ON TRANSFER.—Notwith-  
14 standing any other provision of law, Sealaska shall  
15 not—

16           (A) alienate, transfer, assign, mortgage, or  
17 pledge any cemetery site or historical place con-  
18 veyed under this section to any person or entity  
19 other than the United States; or

20           (B) permit development or improvement of  
21 the cemetery site or historical place for any use  
22 which is incompatible with, or is in derogation  
23 of, the values of the area as a cemetery site or  
24 historical place.

1           (2) PROHIBITION ON LOSS.—Notwithstanding  
2 any other provision of law, any cemetery site or his-  
3 torical place conveyed to Sealaska under this section  
4 shall be exempt from—

5           (A) adverse possession and similar claims  
6 based on estoppel;

7           (B) real property taxes by any govern-  
8 mental entity;

9           (C) title 11 of the United States Code or  
10 a successor law, any other insolvency or mora-  
11 torium law, or any other law generally affecting  
12 creditors' rights;

13           (D) judgments in any action at law or in  
14 equity to recover sums owed or penalties in-  
15 curred by Sealaska or any employee, officer, di-  
16 rector, or shareholder of Sealaska; and

17           (E) involuntary distributions or convey-  
18 ances to any person or entity other than the  
19 United States related to the involuntary dis-  
20 solution of Sealaska.

21           (i) TREATMENT OF LAND CONVEYED.—Except as  
22 otherwise provided in this Act, any land conveyed to  
23 Sealaska under this section shall be—

1 (1) considered land conveyed by the Secretary  
2 under section 14(h)(1) of the Alaska Native Claims  
3 Settlement Act (43 U.S.C. 1613(h)(1)); and

4 (2) subject to all laws (including regulations)  
5 applicable to conveyances under section 14(h)(1) of  
6 the Alaska Native Claims Settlement Act (43 U.S.C.  
7 1613(h)(1)), including section 907(d) of the Alaska  
8 National Interest Lands Conservation Act (43  
9 U.S.C. 1636(d)).

10 **SEC. 6. MISCELLANEOUS.**

11 (a) SPECIAL USE AUTHORIZATIONS.—

12 (1) IN GENERAL.—On the conveyance of land  
13 to Sealaska under section 4(a)—

14 (A) any guiding or outfitting special use  
15 authorization issued by the Forest Service for  
16 the use of the conveyed land shall terminate;  
17 and

18 (B) as a condition of the conveyance and  
19 consistent with section 14(g) of the Alaska Na-  
20 tive Claims Settlement Act (43 U.S.C.  
21 1613(g)), Sealaska shall allow the holder of the  
22 special use authorization terminated under sub-  
23 paragraph (A) to continue the authorized use,  
24 subject to the terms and conditions that were in

1           the special use authorization issued by the For-  
2           est Service, for—

3                   (i) the remainder of the term of the  
4                   authorization; and

5                   (ii) 1 additional consecutive 10-year  
6                   renewal period.

7           (2) NOTICE OF COMMERCIAL ACTIVITIES.—  
8           Sealaska and any holder of a guiding or outfitting  
9           authorization under this subsection shall have a mu-  
10          tual obligation, subject to the guiding or outfitting  
11          authorization, to inform the other party of any com-  
12          mercial activities prior to engaging in the activities  
13          on the land conveyed to Sealaska under section 4(a).

14          (3) NEGOTIATION OF NEW TERMS.—Nothing in  
15          this subsection precludes Sealaska and the holder of  
16          a guiding or outfitting authorization from negoti-  
17          ating a new mutually agreeable guiding or outfitting  
18          authorization.

19          (4) LIABILITY.—Neither Sealaska nor the  
20          United States shall bear any liability, except for will-  
21          ful acts of Sealaska or the United States, regarding  
22          the use and occupancy of any land conveyed to  
23          Sealaska under this Act, as provided in any outfit-  
24          ting or guiding authorization under this subsection.

1 (b) ROADS AND FACILITIES.—Not later than 1 year  
 2 after the date of enactment of this Act, the Secretary of  
 3 Agriculture and Sealaska shall negotiate in good faith to  
 4 develop a binding agreement—

5 (1) for the use of National Forest System roads  
 6 and related transportation facilities by Sealaska; and

7 (2) the use of Sealaska roads and related trans-  
 8 portation facilities by the Forest Service.

9 (c) TRADITIONAL TRADE AND MIGRATION ROUTE  
 10 DESIGNATIONS.—

11 (1) DESIGNATIONS.—

12 (A) THE INSIDE PASSAGE.—The route  
 13 from Yakutat to Dry Bay, as generally depicted  
 14 on the map entitled “Traditional Trade and Mi-  
 15 gration Route, Neix naax aan náx—The Inside  
 16 Passage” and dated October 17, 2012, is des-  
 17 ignated as “Neix naax aan náx” (“The Inside  
 18 Passage”).

19 (B) CANOE ROAD.—The route from the  
 20 Bay of Pillars to Port Camden, as generally de-  
 21 picted on the map entitled “Traditional Trade  
 22 and Migration Route, Yakwdeiyí—Canoe Road”  
 23 and dated October 17, 2012, is designated as  
 24 “Yakwdeiyí” (“Canoe Road”).

1 (C) THE PEOPLE’S ROAD.—The route from  
2 Portage Bay to Duncan Canal, as generally de-  
3 picted on the map entitled “Traditional Trade  
4 and Migration Route, Lingít Deiyí—The Peo-  
5 ple’s Road” and dated October 17, 2012, is  
6 designated “Lingít Deiyí” (“The People’s  
7 Road”).

8 (2) ACCESS TO TRADITIONAL TRADE AND MI-  
9 GRATION ROUTES.—The culturally and historically  
10 significant trade and migration routes designated by  
11 paragraph (1) shall be open to travel by Sealaska  
12 and the public in accordance with applicable law,  
13 subject to such terms, conditions, and special use  
14 authorizations as the Secretary of Agriculture may  
15 require.

16 (d) EFFECT ON OTHER LAWS.—

17 (1) IN GENERAL.—Nothing in this Act delays  
18 the duty of the Secretary to convey land to—

19 (A) the State under the Act of July 7,  
20 1958 (commonly known as the “Alaska State-  
21 hood Act”) (48 U.S.C. note prec. 21; Public  
22 Law 85–508); or

23 (B) a Native Corporation under—

24 (i) the Alaska Native Claims Settle-  
25 ment Act (43 U.S.C. 1601 et seq.); or



1 (ii) the Alaska Land Transfer Accel-  
2 eration Act (43 U.S.C. 1611 note; Public  
3 Law 108–452).

4 (2) CONVEYANCES.—The Secretary shall  
5 promptly proceed with the conveyance of all land  
6 necessary to fulfill the final entitlement of all Native  
7 Corporations in accordance with—

8 (A) the Alaska Native Claims Settlement  
9 Act (43 U.S.C. 1601 et seq.); and

10 (B) the Alaska Land Transfer Acceleration  
11 Act (43 U.S.C. 1611 note; Public Law 108–  
12 452).

13 (e) ESCROW FUNDS.—If Sealaska files the resolution  
14 in accordance with section 3(a)—

15 (1) the escrow requirements of section 2 of  
16 Public Law 94–204 (43 U.S.C. 1613 note) shall  
17 apply to proceeds (including interest) derived from  
18 the land withdrawn under section 4(b) from the date  
19 of receipt of the resolution; and

20 (2) Sealaska shall have no right to any proceeds  
21 (including interest) held pursuant to the escrow re-  
22 quirements of section 2 of Public Law 94–204 (43  
23 U.S.C. 1613 note) that were derived from land origi-  
24 nally withdrawn for selection by section 16 of the

1 Alaska Native Claims Settlement Act (43 U.S.C.  
2 1615), but not conveyed.

3 (f) MAPS.—

4 (1) AVAILABILITY.—Each map referred to in  
5 this Act shall be available in the appropriate offices  
6 of the Secretary and the Secretary of Agriculture.

7 (2) CORRECTIONS.—The Secretary of Agri-  
8 culture may make any necessary correction to a cler-  
9 ical or typographical error in a map referred to in  
10 this Act.

11 **SEC. 7. CONSERVATION AREAS.**

12 (a) LUD II MANAGEMENT AREAS.—If Sealaska files  
13 a resolution in accordance with section 3(a), section 508  
14 of the Alaska National Interest Lands Conservation Act  
15 (Public Law 96–487; 104 Stat. 4428) is amended by add-  
16 ing at the end the following:

17 “(13) BAY OF PILLARS.—Certain land which  
18 comprises approximately 21,106 acres, as generally  
19 depicted on the map entitled ‘Bay of Pillars LUD II  
20 Management Area—Proposed’ and dated October  
21 17, 2012.

22 “(14) KUSHNEAHIN CREEK.—Certain land  
23 which comprises approximately 36,624 acres, as gen-  
24 erally depicted on the map entitled ‘Kushneahin

1 Creek LUD II Management Area—Proposed’ and  
2 dated October 17, 2012.

3 “(15) NORTHERN PRINCE OF WALES.—Certain  
4 land which comprises approximately 9,064 acres, as  
5 generally depicted on the map entitled ‘Northern  
6 Prince of Wales LUD II Management Area—Pro-  
7 posed’ and dated October 17, 2012.

8 “(16) WESTERN KOSCIUSKO.—Certain land  
9 which comprises approximately 7,786 acres, as gen-  
10 erally depicted on the map entitled ‘Western Kos-  
11 ciusko LUD II Management Area—Proposed’ and  
12 dated October 17, 2012.

13 “(17) EASTERN KOSCIUSKO.—Certain land  
14 which comprises approximately 1,664 acres, as gen-  
15 erally depicted on the map entitled ‘Eastern Kos-  
16 ciusko LUD II Management Area—Proposed’ and  
17 dated October 17, 2012.

18 “(18) SARKAR LAKES.—Certain land which  
19 comprises approximately 25,402 acres, as generally  
20 depicted on the map entitled ‘Sarkar Lakes LUD II  
21 Management Area—Proposed’ and dated October  
22 17, 2012.

23 “(19) HONKER DIVIDE.—Certain land which  
24 comprises approximately 15,584 acres, as generally  
25 depicted on the map entitled ‘Honker Divide LUD

1       II Management Area—Proposed’ and dated October  
2       17, 2012.

3               “(20) EEK LAKE AND SUKKWAN ISLAND.—Cer-  
4       tain land which comprises approximately 34,873  
5       acres, as generally depicted on the map entitled ‘Eek  
6       Lake and Sukkwan Island LUD II Management  
7       Area—Proposed’ and dated October 17, 2012.”.

8       (b) NO BUFFER ZONES.—

9               (1) IN GENERAL.—The designation of the con-  
10       servation areas by paragraphs (13) through (20) of  
11       section 508 of the Alaska National Interest Lands  
12       Conservation Act (Public Law 96–487; 104 Stat.  
13       4428) (as added by subsection (a)) (referred to in  
14       this subsection as the “conservation areas”) is not  
15       intended to lead to the creation of protective perim-  
16       eters or buffer zones around the conservation areas.

17              (2) OUTSIDE ACTIVITIES.—The fact that activi-  
18       ties outside of the conservation areas are not con-  
19       sistent with the purposes of the conservation areas  
20       or can be seen or heard within the conservation  
21       areas shall not preclude the activities or uses outside  
22       the boundary of the conservation areas.

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