

LAND STATUS
REPORT

SUSITNA HYDROELECTRIC PROJECT
CIRI LANDS
VILLAGE RECONVEYANCES
PART I

Researched by:

Bruce R. Bedard, Native Inspector
Alaska Power Authority
December 7, 1982

HARZA-EBASCO

Susitna Joint Venture
Document Number

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LAND STATUS REPORT

**SUSITNA HYDROELECTRIC PROJECT
CIRI LANDS
VILLAGE RECONVEYANCES
PART I**

PROPERTY OF:

**Alaska Power Authority
334 W. 5th Ave.
Anchorage, Alaska 99501**

Researched by:

**Bruce R. Bedard, Native Inspector
Alaska Power Authority
December 7, 1982**

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REPORT

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LAND STATUS REPORT
SUSITNA HYDROELECTRIC PROJECT

Lands conveyed to date: Cook Inlet Region, Inc.

IC# 285	T31N R1E Sec. 1 to 5	3,200 Acres
Feb. 11, 1980	T32N R1E Sec. 31, 32	1,246 Acres
AA-13358	T31N R2E Sec. 1 and 12	1,280 Acres
	T32N R2E Sec. 32 to 36	3,200 Acres
	T31N R3E Sec. 19 to 22 and 24	3,173 Acres
	T31N R4E Sec. 2, 3, 16, 19, 21	3,173 Acres
	T32N R4E Sec. 25, 35, 36	1,920 Acres
	T32N R5E Sec. 26 to 28, 30, 33	4,410 Acres
	T32N R1W Sec. 25 to 28, 31 to 33, 36	5,086 Acres
	Aggregating approximately	26,688 Acres

Reference: ANCSA PL 92-203, PL 94-204, Sec. 14(a) and 22(J) of PL 92-203 (85 Stat. 688, 702, 715, 43 U.S.C. 1601, 1613(a), 1621(J), as amended by Sec. 4 of PL 94-204 (90 Stat. 1934, 1935; 43 U.S.C. 1611.) of the Surface and Subsurface Estates.

The Grant is subject to the following:

Now know ye, that there is, therefore, granted by the United States of America, unto the above-named corporation, the surface and subsurface estates in the land above-described, to have and to hold the said estates with all the rights, privileges, immunities and appurtenances, of whatsoever nature, there unto belonging, unto the said corporation, its successors and assigns, forever:

1. Issuance of a patent confirming the boundary description of the lands hereinabove granted after approval and filing by the Bureau of Land Management of the official plat of Survey covering such lands;
2. Valid existing rights therein, if any, including but not limited to those created by any lease (including a lease issued under 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339, 341; 48 U.S.C. Ch. 2, Sec. 6(g)), contract, permit, right of way, or easement and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights privileges and benefits thereby granted to him. Further, pursuant to Sec. 17 (B)(2) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 708; U.S.C. 1601, 1616 (B)(2) (ANCSA)), any valid existing right recognized by ANCSA shall continue to have whatever right of access, as is now provided for under existing law;
3. The terms and conditions of the agreement dated August 31, 1976, between Cook Inlet Region, Inc. and the Secretary of

Interior. A copy of the agreement is hereby attached to and made a part of this conveyance document; and

4. Those lands and interests in the lands conveyed within the exterior boundaries of Power Site Classification No. 443, February 13, 1958, are subject to Sec. 24 of the Federal Power Act of June 19, 1920 (41 Stat, 1063, 1065; 16 U.S.C. 791, 818), pursuant to Sec. 12(E) of PL 94-204 (89 Stat. 1145, 1153).

(These lands and the remainder of lands to be conveyed to CIRI will be reconveyed to CIRI village corporations known as method "B".)

Schedule of interim conveyance to CIRI for other lands in the Talkeetna mountains upper Susitna Basin.

Interim Conveyance	2/2/83	6,978 Acres
DDIC	3/31/83)	
DIC	5/31/83)	
IC	7/31/83)	172,880 Acres

(All of the above is in the CIRI conveyance boundary, identified by Acres American, Inc. and includes lands in the exterior boundary of Power Site Classification 443 and will be subject to the method "B" reconveyance.)

Total Acres Entitlement	<u>Acres</u>
AA-13358 Interim Conveyance 2/11/80	26,688
Interim Conveyance 2/20/83	6,978
Interim Conveyance 7/31/83	172,880
Total Acreage	<u>206,546</u>

(Comprises approximately 323 Sections or 323 square miles.)

Method "B" Village Corporations Surface Estates

Tyonek Native Corporation
B. Agnes Brown, President
912 East 15th Avenue, Suite 200
Anchorage, Alaska 99501
Phone: (Office) 272-4548

Knikatu, Incorporated
Paul Theodore, President
P. O. Box 1230
Wasilla, Alaska 99687
Phone: (Office) 376-2845
(Home) 376-3028
Business Manager
Roy Goodman - 745-2257
Anchorage, Alaska - (Office) 276-1310

Chickaloon-Moose Creek Native Association, Inc.
Herb H. Belanger, President
P. O. Box 1572
Wasilla, Alaska 99687
Phone: 376-3120

Subsurface Estate:

Cook Inlet Region, Inc. (CIRI)
Roy Huhndorf, President
2525 C Street
Anchorage, Alaska 99501
Phone: (Office) 274-8638
Land Manager
Marge Sargeser, Vice President, Lands
CIRI Lands Division
Phone: (Office) 274-8638

Anchorage-Fairbanks Intertie Only:

Gold Creek-Susitna
Noal B. Wilson, President
4208 North Star Drive
Anchorage, Alaska 99503
Phone: (Home) 274-1926

(Note: Gold Creek certification as a native group by the Bureau of Indian Affairs will be known before the end of December, 1982. If certification is approved, Gold Creek will be entitled to land under Sec. 14 H(2) of ANCSA lands not to exceed 23,040 acres. No lands in the Susitna Hydroelectric Project boundary can be conveyed to Gold Creek, but would be if certified, entitled to lands in the Intertie corridor.

Other lands in this corridor has been negotiated and identified by Land Field Services that are owned by Cook Inlet Region, Inc., Ahtna Inc., and Cantwell Village Corporation as well as other private interest including individual native allotments.

Other Native Land Owners impacted by the Susitna Hydroelectric Project:

Ahtna Inc.
Herb Smelcher, President
Drawer G
Copper Center, Alaska 99573
Phone: (Home) 822-3424 (Office) 822-3476

Cantwell Yadatene Na Corporation
Alex and Ruby John
P. O. Box 29
Cantwell, Alaska 99729
Phone: (Home) 768-2302

Cantwell Village Corporation
Charles Hubbard, President
4251 Pinnacle Circle
Anchorage, Alaska 99504

In the village of Cantwell, the project may need lands for a railway staging area, temporary housing, secure private vehicle area, and would possibly impact 21 miles of road on the Denali Highway for road upgrading, and a 69 kv transmission line.

The Ahtna Corporation has approximately 300,000 acres of lands from Mt. McKinley to about Mile 20 of the Denali Highway.

Identified Land Problems:

- 1) Power Site Classification 443
 - 2) Alexander Creek, Inc.
 - 3) Methods of Land Acquisition
 - 4) Amount and location of lands needed.
 - 5) Conveyance of lands by the Bureau of Land Management to CIRI and the State of Alaska.
 - 6) Reconveyance of lands by CIRI to the Method "B" Village Corporations.
 - 7) Land impacts to adjacent land owners after the boundaries have been determined for the project.
 - 8) Time frame for land negotiations to be acquired by the Alaska Power Authority.
 - 9) Management and control procedures by the State and the Native Corporations.
 - 10) Recreational development negotiations and options.
 - 11) Archaeological properties impacted by the project on Native owned lands.
 - 12) Methods of land appraisals and procedures established to protect Native interests.
 - 13) Monitoring procedures during design and to end of construction to protect the Native interest as adjacent land owners.
 - 14) Update Native agreement CIRI and CIRI villages.
1. Power Site Classification 443 to be addressed in a separate paper identifying its status, history and problems.
 2. Alexander Creek Inc. see attached agreement.

As of this date, the Commissioner of the Department of Natural Resources has signed off on this agreement per Reed Stoops, DNR. It presently requires the sign off by the State Attorney General William Condon.

This agreement, when signed, makes Alexander Creek a native group and will not be entitled to land in the project area.

Once this is signed, the balance of the Susitna Lands can be conveyed to CIRI and CIRI then can reconvey to the Method "B" villages.

Alexander Creek, Inc.
Reinhold Max Thiele, Sr., President
8126 Wisteria
Anchorage, Alaska 99502
Phone: 243-5323

The Attorney General is presently reviewing the agreement and may require some additional data, i.e., a) effective date needs to be established; b) sign off by village attorneys involved.

3. Methods of Land Acquisition:

The CIRI Villages and CIRI has indicated to the Alaska Power Authority its preferences on land acquisition.

These preferences are:

- A. Land Leases
- B. Land Exchanges
- C. Right of Ways
- D. Easements
- E. Purchases

(Note: The Alaska Power Authority does have condemnation powers though it has been noted that the Power Authority and the CIRI natives do not desire this method.)

The Federal Energy Regulatory Commission has indicated to the Alaska Power Authority that the lands needed for the impoundment, dams and support structures should be owned and controlled by the Alaska Power Authority, all other lands can be leased or obtained through rights of ways, easements or other negotiated methods.

This will require from the Alaska Power Authority and the Department of Natural Resources their intent of what is acceptable and a list of land that the State is willing to exchange and likewise, a list of land identified by the Native Corporations of what they are interested in.

4. Amount of Land and Locations of Land Needed

The Native Corporations cannot properly present any kind of position or planning until all lands have been identified for acquisition:

- A) Impoundment
- B) Dams
- C) Support Structures Dams
- D) Recreation
- E) Village and Campsites
- F) Roads
- G) Transmission Corridors
- H) Borrow Sites (Sand, Gravel, Stone, etc.)

I) Other Land Needs

This stage should be identified as soon as possible because of severe delays in land acquisition could incur and delay project time frames.

5. Conveyance of Lands:

The Alaska Power Authority, Department of Natural Resources and the Cook Inlet Region, Inc. should jointly inform the Bureau of Land Management of the importance to settle the final interim conveyance of lands in the Talkeetna mountains and to establish a higher priority for this process due to the FERC application procedure and timeliness of the FERC License process to begin in February, 1983.

6. Reconveyance of CIRI Lands:

This is an extremely important process. First, this would identify the village corporations who will be the surface land owners. Secondly, this than would unquestionably identify the final parties the Alaska Power Authority has to negotiate with.

This process would also identify the reconveyance method at this time know as Method "B".

Method "B" could change if some CIRI village corporations have not met their full land entitlement.

7. Land Impacts to adjacent land owners:

Yet to be identified.

A. Reference FERC Guidelines

B. Some impacts are:

1. Restrictions to access because of construction
2. Damage to properties not yet identified getting to borrow sites, etc.
3. Trespass infringements.

8. Time Frame Land Negotiations:

The Alaska Power Authority needs to identify a time frame for negotiations to be in line with the construction start up date.

This time frame should include enough time for the Native Land owners to review the process of how land will be acquired, methods of appraisal and a review of the appraisal and to identify mitigating issues for final negotiations for the land to be acquired.

9. Management and Control Procedures:

The Alaska Power Authority, Department of Natural Resources, Alaska Department of Fish and Game, State Parks, Federal Fish and Wildlife and other agencies will need to sit down and negotiate land restrictions identified for multiple uses affecting the Native lands.

The CIRI Native Corporations have identified some steps that they see, but is not limited to these:

- A. No ATV use
- B. No Rockhounding
- C. Trespass
- D. Permit use for hunting and fishing
- E. Artifact removal prohibited

Other restrictions may be identified later and throughout the project construction period of the two dam projects.

The Federal and State agencies may impose some controls and these controls should be reviewed by the Native Land Owners if any of these controls impact native lands as the natives will have eventually patent to over 300 square miles of land surrounding the project boundaries.

10. Recreational Development and Management:

FERC has indicated that recreational development and management could be contracted out and lands could be leased from the native corporations.

Cost trade offs could be negotiated here for the best interest of the State and the Native Corporations.

EDAW has indicated as a mitigating measure that the Alaska Power Authority should provide a recreational planner for the native corporations. It is unquestionable that the future impacts to the native land owners for recreation demands will be on their lands primarily on the south side of the Susitna River if the two dam projects go ahead.

Future recreational demands will require monitoring by the State and the Native Corporations from the beginning of construction and well beyond construction of the two dams projects as population changes and land uses change in the railbelt region.

11. Archaeological Properties:

There is no question that where possible the Alaska Power Authority will avoid any disturbance to these sites and will give them all the protection that the laws allow.

But when disturbance is necessary, the native lands disturbed and archaeological properties removed must require the approval of the native corporations to remove them and the native corporations must be given a list of what has been removed and a legal description of where the removal took place. The State then must hold these artifacts in a trust status in behalf of that native corporation, and must return these items upon their request.

There is no question that on-going archaeological studies will be necessary and that the Alaska Power Authority should inform the agency or agencies doing these studies of these conditions.

Both Federal and State statutes protect Indian owned sites and ANCSA and ANILCA has provisions relating to archaeological, cultural, historical and cemetery sites owned and controlled by Native Corporations.

Before any sites are proposed for the National Register of Historical Places on native owned lands, the Alaska Power Authority should direct its contractors to seek a letter of no objection from the Native Landowners.

12. Method of Land Appraisals:

Land Field Services, an Alaskan firm experienced in land title systems, acquisition of lands and other land procedures with an experience tract record negotiating native lands, will be the firm to identify, appraise, etc., project lands for Susitna.

CIRI and its village corporations will also review their process of appraisals to compare with Land Field Services for final negotiations.

13. Monitoring during Design and Construction:

The Native Corporations will want to continue the monitoring of the project through completion to protect their interest as adjacent land owners.

This can be accomplished through the Alaska Power Authority's present system of the Native Inspector and other measures such as site located monitors to assist the Inspector for land controls, recreational development, archaeological protection and trespass, etc.

14. Native Agreement:

The Alaska Power Authority will need to amend its agreement at least through the design phase and will probably require a limited agreement, after the land acquisition procedures have been completed.

FERC procedures may dictate to some degree what the agreement should be limited to in the future, when the native land owners have been identified as adjacent land owners and to what extent the project impacts them in the future construction and operation years.

Summary:

In summary, it is the author's suggestion that a land steering committee be created to cover all aspects of the land use areas.

It is also suggested that the Ahtna Corporation and the CIRI Corporation and its village Corporations be identified and kept involved, same as an agency would provide input and consensus.

Land use and ownership is a key to the project's success if the above fourteen items and probably others that are or will be identified are not solved, it could involve costly delays which no one wants nor can the project afford.

The Bureau of Land Management will have to be signatory to the Native Agreement on those lands not yet conveyed to the Natives that have been selected by the CIRI Native Corporations. Reference BLM temporary use permit AK-017-0096, dated June, 1980.

LAND GEOGRAPHICAL COMPARISONS

It is extremely difficult to access impacts on a study area that is as large in square miles than some states in the Lower 48 states. It is further complicated by the fact that in the near vicinity of the two dam project and going within ten square miles in any direction or 100 square miles of the two dams, no resident populations of humans exist.

Within 2,000 square miles of the study area, less than 50 people actually reside in the area.

Within 6,000 square miles of the study area, less than 2,000 people actually reside in the area.

This project will probably go down in history as impacting one of the largest single privately owned land owners in the United States.

Approximately 323 square miles of land in and adjacent to the project boundary is or will be owned by the Cook Inlet Region Corporation and its affiliated villages (Alaska Natives Indian Lands). Almost five times the size of the District of Columbia containing no physical human population as far as residents.

In the District of Columbia comprises a population approximately one (1) million inhabitants.

By contrast, 1/3 of the study area approximately the size of the State of Delaware and the District of Columbia combined contains only 50 inhabitants to the almost two (2) million inhabitants of the two comparisons.

If you were to combine Delaware, District of Columbia, Connecticut and Rhode Island which has a combined population of close to six (6) million inhabitants to the total project study area of 2,000 inhabitants, you can virtually conceive the vastness of the Susitna Hydroelectric Project and fully understand the complexities of addressing land, social, economic impacts for such a small population in such a large area of land.

There is no question that the two dams, transmission lines, roads, recreation sites and other project uses of the land will be small in total comparison of the overall land uses in the area.

The cost for studies to address land ownership, social, economical and environmental impacts are staggering when comparing this to the resident populations of the study area though it must be accomplished.

In summation, this comparison should help those individuals to better analyze and compare the complexities of this project to projects in the Lower 48 states.

BRB/es
Attachments as stated

Correction:

LAND STATUS REPORT PART I
Page 2 change 1C #285 line 8

From: T 32N R5E Sec 26 to 28,30,33

To: T 32N R5E Sec 26 to 28, 30 to 33

REGULATIONS

CHAPTER 55. LAND PLANNING AND CLASSIFICATION

Section

10. Application of chapter
20. Planning and classification
30. Preparation of plan
40. Classification
50. Agricultural land
60. Commercial land
70. Forest land
80. Grazing land
90. Greenbelt land
100. (Repealed)
110. Industrial land
120. Material land
130. Mineral land
140. (Repealed)
150. Private recreation land
160. Public recreation land
170. Reserved use land
180. Residential land
190. Resource assessment land
200. Resource management land
210. Utility land
220. Watershed land
230. Wildlife habitat land
240. Reclassification
250. Notice
260. No effect on valid existing rights
270. Proposing classifications
280. Definitions

Ed. Note: See (d)-(f) of 11 AAC 55.040, reprinted below, to check whether a certain land classification is open to claim staking and, if it is, whether a lease is required. For claims staked before Nov. 12, 1978, see 11 AAC 86.135(a) and (b) instead.

11 AAC 55.040. CLASSIFICATION. (a) State land may be classified into one or more of the following categories: agricultural, commercial, forest, grazing, greenbelt, industrial, material, mineral, private recreation, public recreation, reserved use, residential, resource assessment, resource management, utility, watershed, or wildlife habitat. If a dual or multiple classification is applied to the same parcel of land, the provisions of the more restrictive classification will govern, unless the more restrictive provision would defeat one of the purposes for which the land is classified.

(b) A classification becomes effective on the day the classification order is signed by the commissioner, or 30 days after notice is given under AS 38.05.305 and sec. 250 of this chapter, whichever is later. It will be promptly noted on the public records maintained by the department. Land that has been selected or is otherwise to be acquired by the state and managed by the department may be classified prior to receipt of tentative approval, patent, deed, or other document of title conveyance.

(c) Unclassified land and land in an classifications is available for mineral leasing under AS 38.05.135 - AS 38.05.184.

(d) Unclassified land and land in the following classifications is available for the acquisition of rights to locatable minerals under AS 38.05.195 and 11 AAC 86.200 - 11 AAC 86.230: forest, grazing, material, mineral, resource assessment, and utility.

(e) Land in the following classifications is available for the acquisition of rights to lease locatable minerals under AS 38.05.205 and 11 AAC 86.300 - 11 AAC 86.325, subject to any restrictions in each specific classification: resource management and wildlife habitat.

(f) Depending on the land use plan and subject to any restrictions in each specific classification, land in the following classifications may also be available for the acquisition of rights to lease locatable minerals under AS 38.05.205 and 11 AAC 86.300 - 11 AAC 86.325: commercial, greenbelt, industrial, public recreation, reserved use, and watershed.

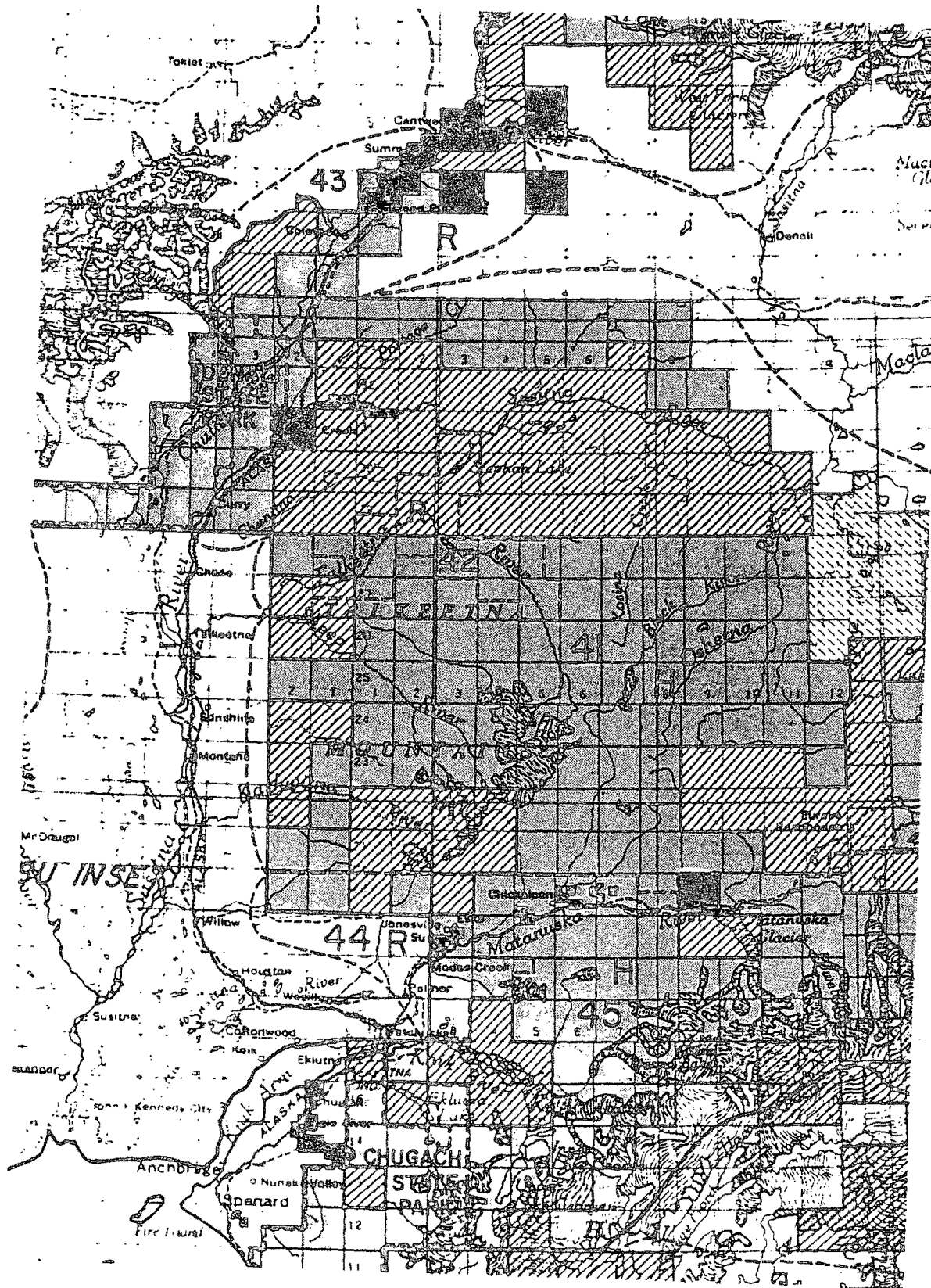
(g) Land in the following classifications is available for the disposal of materials and of timber, subject to any restrictions in each specific classification: agricultural, commercial, forest, grazing, industrial, material, mineral, resource assessment, resource management, utility, watershed, and wildlife habitat.

(h) Depending on the land use plan and subject to any restrictions in each specific classification, land in the following classifications may be available for the disposal of materials and timber: greenbelt, private recreation, public recreation, and reserved use.

(i) Land or an interest in land in the following classifications is available for sale, lease or other disposal, subject to any restrictions in each specific classification: agricultural, commercial, industrial, mineral land (if acquired by escheat or foreclosure only), private recreation, residential, and utility.

(j) Title to land in the following classifications must be retained in state ownership, but an interest in land may be available for lease, subject to any restrictions in each specific classification: forest, grazing, material, mineral, public recreation, resource management, watershed, and wildlife habitat; except that grazing land is available for municipal selection under AS 29.18.201 - AS 29.18.213. (Eff. 11/12/78. Reg. 68; am 10/14/79, Reg. 72)

Authority: AS 38.04.015	AS 38.05.185
AS 38.04.900	AS 38.05.295
AS 38.05.020	AS 38.05.300
AS 38.05.045	



ALASKA DEPT. OF NATURAL RESOURCES
FY83 STATEWIDE NATURAL RESOURCES PLAN
APPENDIX II
Management Unit Descriptions and Guidelines

Management Unit No. 43
Region: Mat-Su, Tanana - Yukon

I. Designated Uses - Primary: Recreation

Secondary: _____

II. Unit Description

The unit begins immediately north of Denali State Park and extends along Parks Highway through Broad Pass. It is an area offering exceptional views of high-altitude alpine scenery and wildlife from the highway and railroad. Sightseeing, camping, picnicking, hunting, river floating, photography, skiing, hiking, and food gathering are highest recreational values. Since the area is very sensitive to human intrusion, intensive management to reconcile recreational use with competing values (mining, settlement, utility corridors) will be necessary.

Management Guidelines
III. Resource Summaries and Guidelines

A. Uses other than Settlement

Habitat.

B. Settlement

No settlement proposed. *identified.*

ALASKA DEPT. OF NATURAL RESOURCES
FY83 STATEWIDE NATURAL RESOURCES PLAN
APPENDIX II
Management Unit Descriptions and Guidelines

Management Unit No. 42

Region: Mat-Su

I. Designated Uses - Primary: Recreation

Secondary: _____

II. Unit Description

→ This unit includes much of the Talkeetna River and nearby Stephan Lake. Principal recreation values are hunting, fishing, river floating and hiking. Private recreation (settlement) could be considered in the future at various points along the river. (This unit is of lower priority than others with recreation as primary value.)

Secondary
III. Resource Summaries and Management ~~Direction~~

→ A. Uses other than Settlement

Habitat - Fisheries, bear, moose, caribou.

B. Settlement



















→ No settlement ~~proposed~~ *identified*

CLASSIFICATION GUIDELINE CHART APRIL 1992

AVAILABILITY FOR DISPOSAL PURPOSES









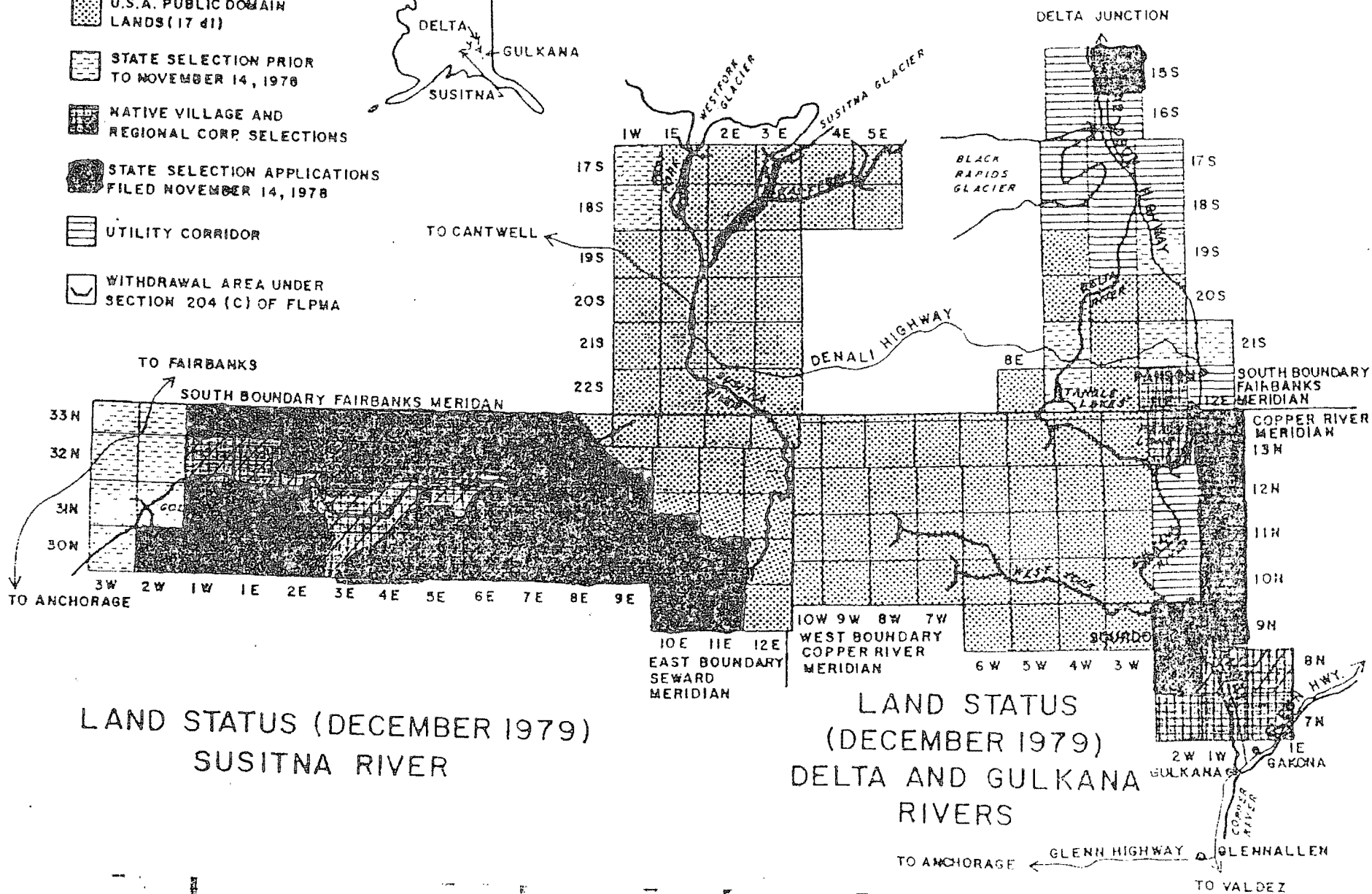
DIVISION OF FOREST LAND
AND WATER MANAGEMENT

	Mineral Leasing (oil & gas, coal, etc.)	Mineral Location (Hard rock)	Timber/ Material Sales	Sale of Surface	Lease of surface	Municipal Selections (AS 29.18)
AGRICULTURAL 	Yes	No	Yes	Yes	Yes	Yes
 COMMERCIAL	Yes	Maybe leasehold locations (see land use plan)	Yes	Yes	Yes	Yes
FOREST 	Yes	Yes	Yes	No	Yes	No
GRAZING 	Yes	Yes	Yes	No	Yes	Yes
GREENBELT 	Yes	Maybe leasehold locations (see land use plan)	Some (see land use plan)	No	Maybe (see land use plan)- requires dual classification	No
INDUSTRIAL 	Yes	Maybe leasehold locations (see land use plan)	Yes	Yes	Yes	Yes
MATERIAL 	Yes	Yes	Yes	No	Yes	No
MINERAL 	Yes	Yes	Yes	Only if acquired by escheat or foreclosure	Yes	No
PRIVATE REC 	Yes	No	Maybe-see land use plan	Yes	Yes	Yes
PUBLIC REC 	Yes	Maybe leasehold locations (see land use plan)	Maybe (see land use plan)	No	Yes	No
RESERVED USE 	Yes	Maybe leasehold locations (see land use plan)	Maybe (see land use plan)	Only to gov. agencies	Yes, for public services (see land use plan)	No
RESIDENTIAL 	Yes	No	No	Yes	Yes	Yes
RESOURCE ASSESSMENT 	Yes	Yes	Small sales only	No	Small-scale ROW'S only	No
RESOURCE MGMT 	Yes	Leasehold locations	Yes	No	Yes	No
UTILITY 	Yes	Yes	Yes	Yes	Yes	Yes
WATERSHED 	Yes	Maybe leasehold locations (see land use plan)	Yes	No	Yes	No
WILDLIFE HABITAT 	Yes	Leasehold locations	Maybe (requires special approval)	No	Maybe (requires special approval)	No
UNCLASSIFIED 	Yes	Yes	Small sales only	No	Small-scale ROW'S only	Yes

Note: For specific wording please refer to 11/AAC/55, especially Sec. 40(c)-(j) and subsection (c) of each classification (secs 50-230)

LEGEND

-  U.S.A. PUBLIC DOMAIN LANDS (17 41)
-  STATE SELECTION PRIOR TO NOVEMBER 14, 1978
-  NATIVE VILLAGE AND REGIONAL CORP. SELECTIONS
-  STATE SELECTION APPLICATIONS FILED NOVEMBER 14, 1978
-  UTILITY CORRIDOR
-  WITHDRAWAL AREA UNDER SECTION 204 (C) OF FLPMA



ALASKA POWER AUTHORITY

334 WEST 5th AVENUE · ANCHORAGE, ALASKA 99501

Phone: (907) 277-7641
(907) 276-0001

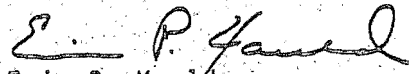
July 28, 1982

Mr. Reed Stoops
Alaska Dept. of Natural Resources
Div. of Research and Development
Pouch 7-005
Anchorage, AK 99510

Dear Mr. Stoops:

As the Susitna project progresses, an orderly plan of land acquisition will need to be developed and exercised. I would like to request your assistance in the development of this plan and suggest you consider staff support costs in your FY'84 budget. Please let us know what we can do to help promote a cooperative effort in the resolution of these land issues.

Sincerely,


Eric P. Youd
Executive Director

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

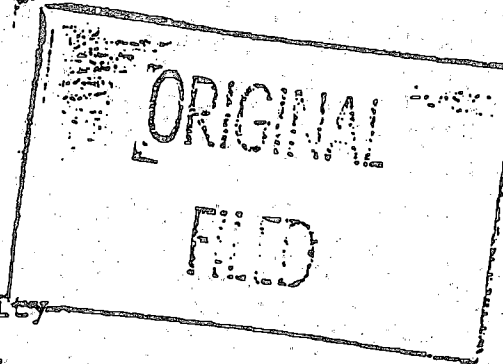
JAY S. HAMMOND, GOVERNOR

POUCH M
JUNEAU, ALASKA 99811
PHONE:

COPY

August 2, 1982

Mr. Eric P. Yould
Executive Director
Alaska Power Authority
334 W. 5th Ave.
Anchorage, AK 99501



Dear Eric:

In response to your recent letter regarding acquisition of land necessary for the Susitna Project, I am appointing Jim Wickes to work with Mr. Ransom and Mr. Isgar of your office. Mr. Wickes is responsible for land selections and land exchanges for the department.

One of the first decisions that should be reached is the administrative cost for an exchange or acquisition so the Department of Natural Resources may submit the necessary budget request for FY 84.

Sincerely,

Reed Stoops
Director

cc: Jim Wickes, DRD
Commissioner John Katz, DNR

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF RESEARCH & DEVELOPMENT

323 E. 4TH AVENUE
ANCHORAGE, ALASKA 99501
PHONE: (907) 279-5577
File #2160.03(c)

July 16, 1982

Eric Yould
Executive Director
Alaska Power Authority
334 West Fifth Avenue
Anchorage, Alaska 99501

RECEIVED

JUL 22 1982

Dear Mr. Yould:

ALASKA POWER AUTHORITY

Attached is a copy of the FFY 83 Conveyance Priority List submitted to BLM on June 4 to guide its processing of state land selections. This list is comprised of nominations submitted by your agency and prioritized by the Division of Research & Development in consultation with the Commissioner. These are lands for which you have requested expedited conveyance (tentative approval and/or patent) to help you in your daily land activities.

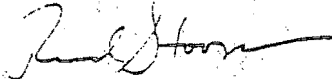
We have identified your specific nominations for ease of reference, and where more than one agency has identified an interest notation has been made.

Although BLM's fiscal year does not start until October 1, it may begin processing this new list sooner. I will keep you apprised of BLM's progress through quarterly reports. Please let us know if you do not wish to receive these quarterly reports or if you wish them to be sent to another person in your agency.

We have delayed transmittal of the FFY 83 list to you until now so that the BLM Branch of Cadastral Survey could review our patent priority list for the survey status of your nominations. We have separated BLM's information into five categories as noted on the Table of Contents. This survey research is an ongoing process and is not yet complete. The information we do have, however, will help explain why nominations are not being patented this year.

If you have any questions about the list or should discover any omissions or errors, please contact Ms. Dee Frankfourth of my staff at 276-2653, Ext. 4387.

Sincerely,



Read Stoops
Director

Attachment

RS: JDF:lln

J. A.P.A. HYDROELECTRIC SITES
PRIORITIES FOR TA . . . 69

BIM SERIAL. #	STATE SELECTION #	LEGAL DESCRIPTION	NAME	REQUESTING AGENCY	SURVEY STATUS	DETAILS
1. AA 21418	GS 2028	T.31N., R.2E. S.M. Secs 16-21, 27-34	Susitna	APA		Hydroelectric project
AA 21407	GS 2017	T.30N., R.2E. S.M. Secs 3-10, 15-22				
AA 21420	GS 2030	T.31N., R.4E. S.M. Sec 17 & 18				

Note: These suspended selections were top-filed under ANILCA; the state requests expedited adjudication.

57

AA 21427	GS 2037	T.32N., R.1E. S.M. Secs 23,24,26,27
AA 21428	GS 2038	T.32N., R.2E. S.M. Secs 2-4,8,9,16-19
AA 21437	GS 2047	T.33N., R.2E. S.M. Secs 25,35,36
AA 21438	GS 2048	T.33N., R.3E. S.M. Secs 29-33
AA 21429	GS 2039	T.32N., R.3E. S.M. Secs 2-4,10-13
AA 21430	GS 2040	T.32N., R.4E. S.M. Secs. 11-18, 20-22
AA 21431	GS 2041	T.32N., R.5E. S.M. Secs. 4-9, 16-18, 21

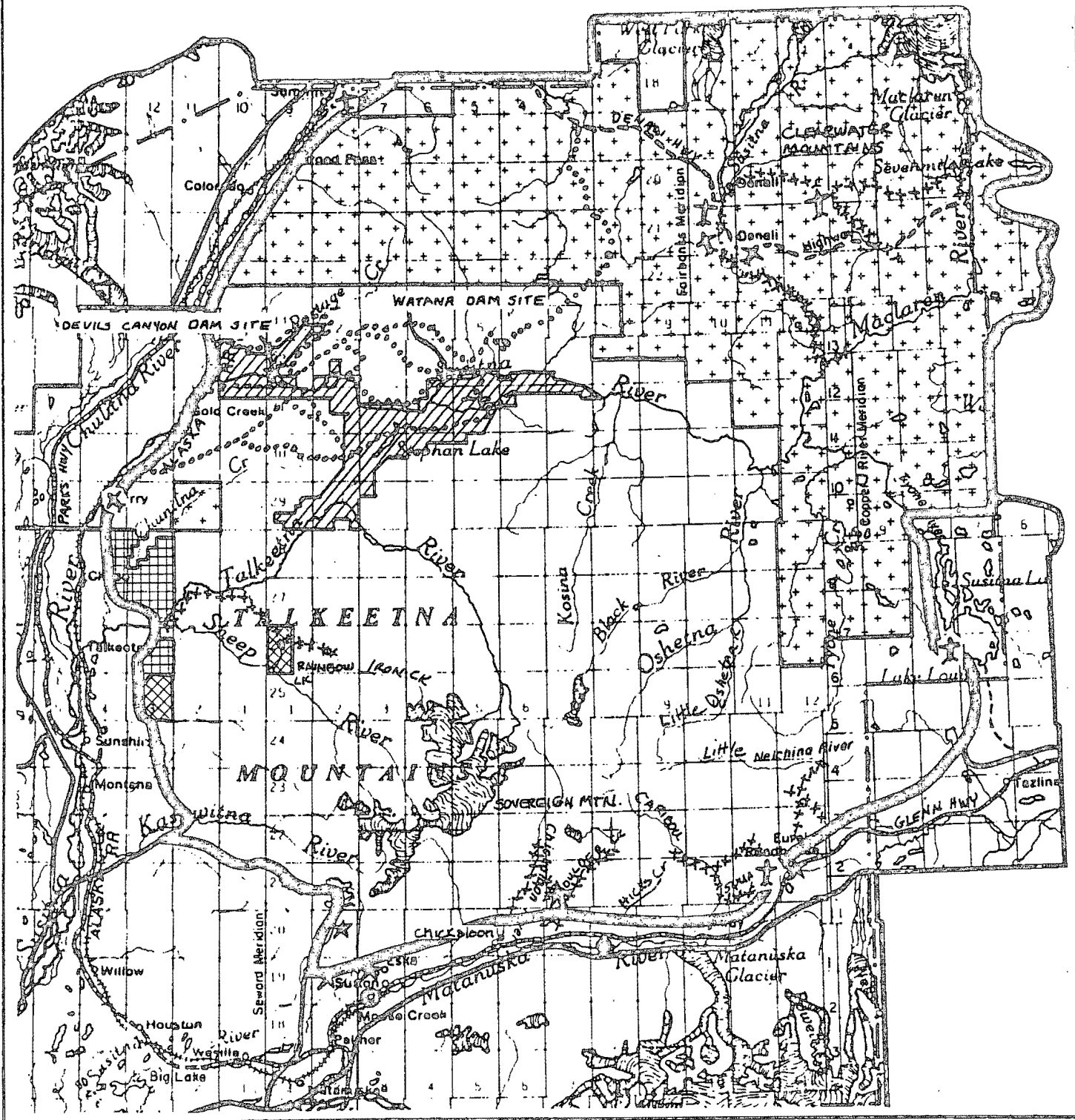
R.I.M. should be working on giving
them to the state for the project

2. A 50097	GS 47	T.5S., R.10W. S.M. Secs 1,2,10,11,12,13, 14,15,16,21,28,33	Bradley Lake	APA		Hydroelectric project
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Suspended (except) for state to file

AM




TAO







TALKEETNA MOUNTAINS MANAGEMENT UNIT

Scale - 1:1,000,000.

GENERALIZED LAND OWNERSHIP

-  STATE (includes selected lands)
-  NATIVE CORP. (other private land discussed in text)
-  FEDERAL

LAND SALES

-  or  EXISTING RESIDENTIAL
-  or  PROPOSED RESIDENTIAL

ACCESS

xxxxxx TRAILS

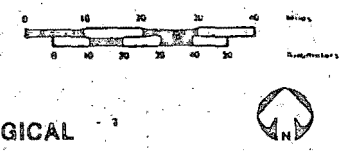
..... SUSITNA HYDROELECTRIC PROJECT
- PROPOSED TRANSPORTATION CORRIDORS

 AIRSTRIPS

OTHER

 STATE GRAZING LEASES

○ RECREATION FACILITIES KEYED TO TABLE 1



DENALI NATIONAL PARK
AND PRESERVE - NPS

DENALI PLANNING
BLOCK - BLM

TANGLE LAKES ARCHEOLOGICAL
DISTRICT - BLM

DENALI
STATE PARK

NANCY LAKE
RECREATION AREA - ADP

CHUGACH
STATE PARK

LEGEND

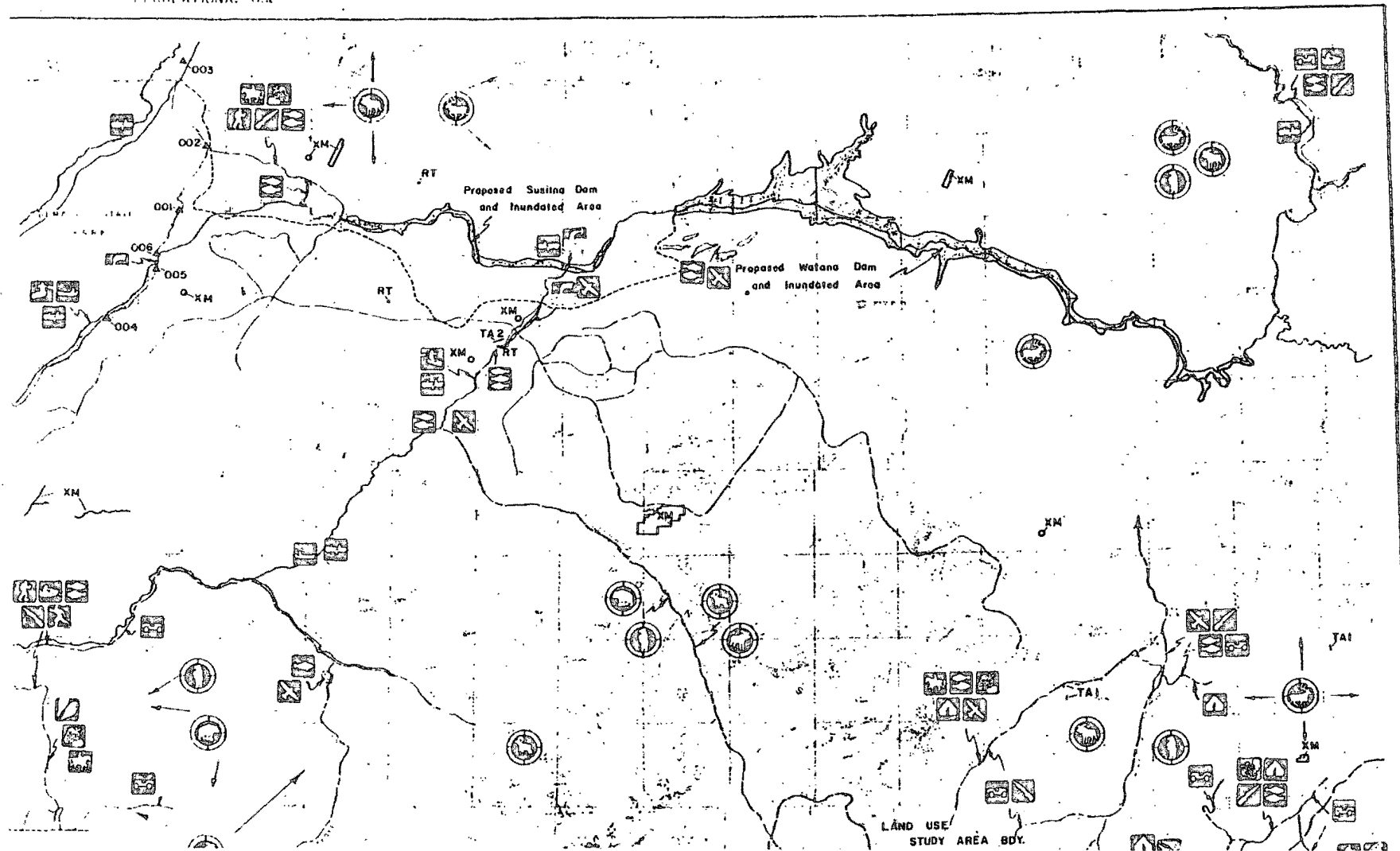
○ RECREATION AREAS

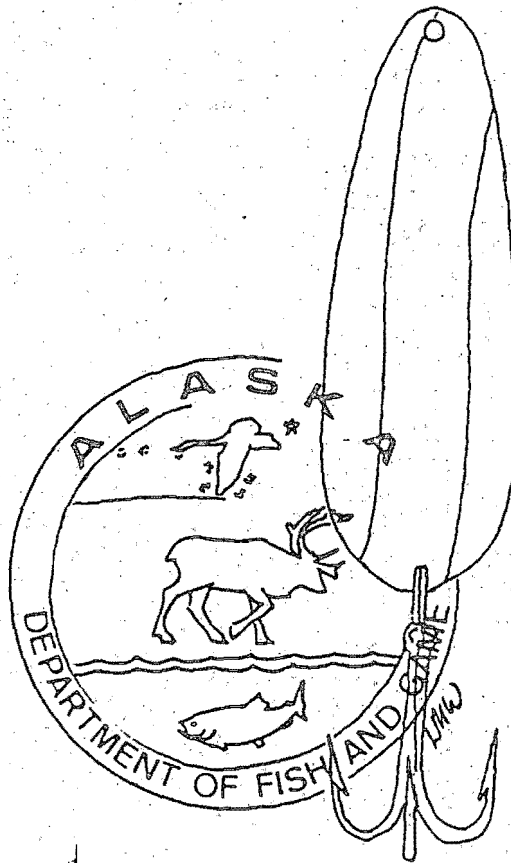
REGIONAL RECREATION AREAS AND FACILITIES

FIGURE 7.1

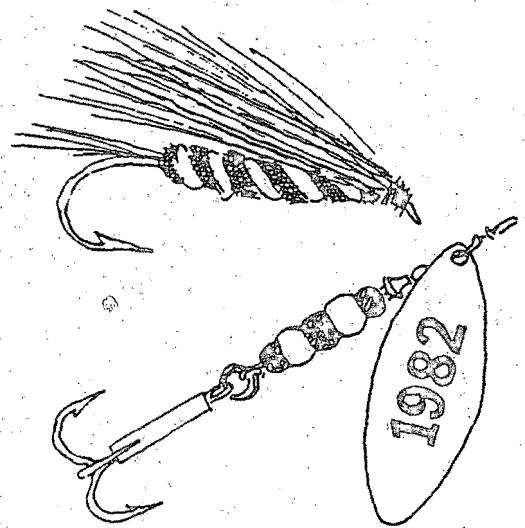
TALKEETNA MTS. EXISTING LAND USE
RECREATIONAL USE

ALASKA
TOPOGRAPHIC SERIES
REVISION 10-11-60





Alaska Sport Fishing Seasons & Bag Limits



The map of Alaska on pages 2 and 3 shows the sport fish regulatory areas of the state. Turn to the section of this summary that specifically deals with that regulatory area where you plan to fish for specific information regarding exceptions as to bag limits, seasons, or methods and means for individual waters and/or species of fish.

Each regulatory area is divided to show saltwater and freshwater regulations separately for your convenience.

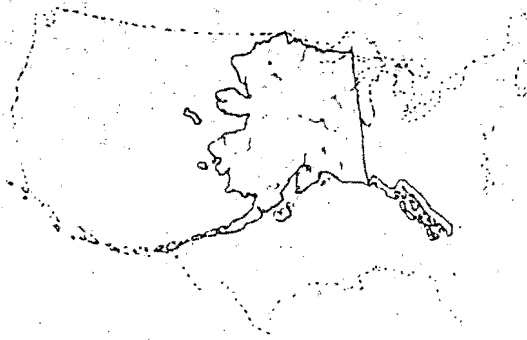
We hope the fish identification section of the booklet will aid you in identification of species and encourage you to participate in our trophy fish award program.

The sport fish regulations are designed to provide maximum angling opportunities based on the best biological data available.

Tight lines!

Rupert E. Andrews

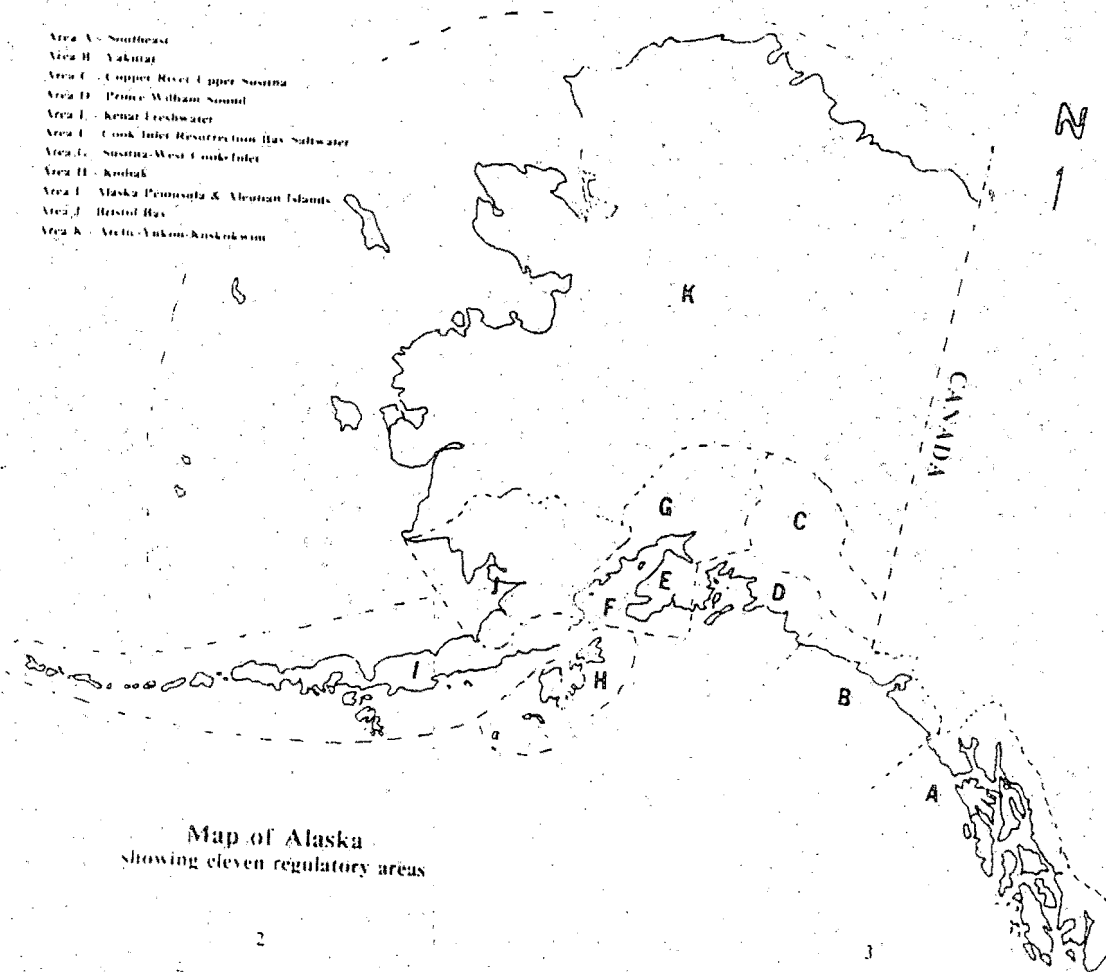
Rupert E. Andrews
Director, Division of Sport Fish



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- Area A - Southeast
- Area B - Yakutat
- Area C - Copper River Upper Susitna
- Area D - Prince William Sound
- Area E - Kenai Freshwater
- Area F - Cook Inlet Resurrection Bay Saltwater
- Area G - Susitna-West Cook Inlet
- Area H - Kodiak
- Area I - Alaska Peninsula & Aleutian Islands
- Area J - Bristol Bay
- Area K - Arctic-Yukon-Kuskokwim



Map of Alaska
showing eleven regulatory areas

EMERGENCY ORDERS

The Commissioner of the Department of Fish and Game, or his authorized designee, has the authority when circumstances require, to summarily open or close seasons and areas by means of Emergency Orders. An Emergency Order has the force and effect of law after field announcement by the Commissioner or his authorized designee.

A field announcement of the Emergency Order is made in a manner reasonably calculated to reach interested individuals prior to the effective date — usually by newspaper and radio announcement in the local area and by posting the announcement where it is accessible to the public.

Thus, to ensure that regulations are not inadvertently violated it would be wise to check in the local area before fishing.

SELECTED STATUTES

LICENSE REQUIREMENTS

A sport fishing license is required and must be in the possession of all persons 16 years of age or older (see following special exemption) while taking or attempting to take any freshwater, marine, or anadromous fish for personal use and while sport digging razor clams or dip-netting for smelt (hooligan). AS 16.05.330(a); AS 16.05.400(a).

An Alaskan resident who is 60 years of age or more and has been a resident for 30 consecutive years or more, as long as he remains a resident, does not need a sport fishing license. A special permanent identification card is distributed by the Alaska Department of Revenue, Fish and Game Licensing. Application forms for this card are available from designated license agents or Fish and Game offices. AS 16.05.400(b).

Licenses are available from designated issuing agents or by mail from the Department of Revenue, Fish and Game Licensing, 1107 West 8th Street, Juneau, Alaska 99801 (tel. 907-465-2376). Many sporting goods stores throughout the state sell licenses.

Any false statement made in an application for a license shall render null and void the license issued on it; any person who makes such false statement shall be guilty of violating the sport fishing regulations. AS 16.05.420(a).

No person may legally alter, change, or loan or transfer to any other person any license issued to him; no person may legally use any license issued to another person. AS 16.05.420(b).

Licenses must be shown upon request to any authorized representative of the Alaska Department of Fish and Game or the Alaska Department of Public Safety. 5 AAC 75.005.

The license period is from January 1 through December 31, inclusive, of the current calendar year. AS 16.05.350.

A lost license may be replaced for \$2.00 through local license vendors. AS 16.05.340(c).

LICENSE FEES

Resident sport fishing license.....	\$10.00
Resident (blind) sport fishing license.....	\$ 25
Resident hunting and sport fishing license.....	\$22.00
Resident hunting, trapping, and sport fishing license.....	\$25.00

Note. The fee is 25¢ for a resident hunting, trapping, and sport fishing license for the head of a family, for a dependent member of his family, or for one solely dependent on himself for support when the applicant presents proof that either of these conditions exists: (a) The applicant is

obtaining assistance or has obtained assistance during the preceding six (6) months under any state or federal welfare program to aid the indigent; or (b) the annual gross income of the applicant's family during the year preceding application was less than \$5,600.

*King Salmon/Steelhead Permit.....	\$ 5.00
Visitor's special sport fishing license	
Valid for one (1) day.....	\$ 5.00
Valid for ten (10) days.....	\$15.00
Nonresident sport fishing license.....	\$30.00
Nonresident hunting and sport fishing license.....	\$90.00
Military sport fishing.....	\$10.00
Military sport fishing and small game hunting.....	\$22.00

*A special King Salmon/Steelhead Trout Permit Stamp is required for the taking of these species in all waters of Alaska. No stamp is necessary for those persons who are over 60 years of age and have resided in Alaska for 30 or more years, for anglers under 16 years of age, and persons eligible for a 25¢ license.

Note. Members of the military service on active duty who are permanently stationed in the state and their dependents may obtain a special nonresident military sport fishing license at the resident rate. AS 16.05.340(d)

FEDERAL REGULATIONS

Federal regulations prohibit trespassing on Alaska Railroad bridges and trestles. This includes fishing from such structures.

Sport fishing is prohibited on military reservations unless permission is granted by the reservation Commanding Officer.

The taking of halibut is permitted under the International Pacific Halibut Commission federal regulations as follows:

- a. Open season is from March 1 through October 31.
- b. Daily bag and possession limit is two fish.
- c. It is illegal for any person to possess sport-caught halibut aboard a vessel when other fish or shellfish aboard said vessel are destined for commercial use (sale, trade or barter).

DEFINITIONS

artificial fly: any fly constructed by common methods known as fly tying, including dry fly, wet fly, streamer fly, and nymph. 5 AAC 75.995(1)

artificial fly (unweighted): any artificial fly that weighs less than one-fourth ounce in its entirety. 5 AAC 77.995(2)

artificial lure: any lure that is man made, as an imitation of or substitute for natural bait, used to attract fish for the purpose of taking them; includes artificial flies, but does not include salmon eggs or other chemically treated or processed foods. 5 AAC 75.995(3)

bag limit: the total of fish allowed a person per day in the area which he is fishing, even though part or all of the fish are immediately preserved; when landed and killed, a fish becomes part of the bag limit of the person who originally hooked it. 5 AAC 75.995(4)

charter vessel: a vessel licensed under AS 16.05.490, used for hire in the recreational or subsistence taking of fish or shell fish, and not used on the same day for any other commercial fishing purpose. 5 AAC 75.995(8)

char: brook trout, Dolly Varden, Arctic char, and lake trout. 5 AAC 75.995(7)

closed season: time during which fish may not be taken; each designated time includes the first and last days named. 5 AAC 75.995(5)

closed waters: waters designated by the board wherein it is illegal to take fish. 5 AAC 75.995(6)

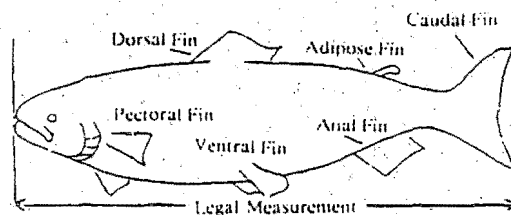
drainage: all the waters comprising a watershed including tributary rivers, streams, sloughs, ponds, and lakes which contribute to the water supply of the watershed. 5 AAC 75.995(9)

fish: all species of marine, anadromous, and freshwater fish; amphibians, shellfish, and other invertebrates found or introduced into the State of Alaska waters. AS 16.05.940(6)

freshwater; saltwater: fresh water to be separated from salt water at the mouth of creeks, streams, and rivers at a line drawn between the extremities of the latter's banks at mean low tide or at a point determined and marked by the Department. 5 AAC 75.995(10)

grayling: Arctic grayling. 5 AAC 75.995(11)

length of fish: measured from the tip of the snout to the tip of the tail. 5 AAC 75.995(12)



local representative of the department: nearest or most accessible professional employee of the Department of Fish and Game, a person designated by the Commissioner or by a professional employee to perform specific functions for the department, or a law enforcement officer of the Department of Public Safety. 5 AAC 75.995(13)

mark or marking: all forms of skin alterations, fin clipping or other mutilation or insertion of materials in live fish that will allow later identification. 5 AAC 75.995(14)

molesting: harassing, disturbing or interfering with fish by any means or by use of any missile or object which may be thrown or projected into the water. 5 AAC 75.995(15)

multiple hook: a fish hook with two or more points, with or without barbs. 5 AAC 75.995(16)

nonresident: any person who does not qualify as a resident as defined herein. AS 16.05.940(12)

open season: time during which fish may lawfully be taken; each period of time prescribed as an open season shall include the first and last days named. 5 AAC 75.995(17)

peace officer of the state: a person defined in AS 16.05.150. 5 AAC 75.995(18)

possession limit: the maximum number of unpreserved fish a person may have in his possession. 5 AAC 75.995(20)

preserved fish: fish treated or stored in such state of existing preservation, as to be fit for human consumption after a 15-day period, and does not include fish temporarily stored in coolers that are "iced" or that are lightly salted. 5 AAC 75.995(21)

resident: a person who has maintained a permanent place of abode within the state for 12 consecutive months and has continuously maintained his voting residence in the state; any member of the military service who has been stationed in the state for the immediately preceding 12 months, or any dependent of such member who has been living in the state for the immediately preceding 12 months; any alien person who has maintained a permanent place of abode in the state for 1 year. See special military provisions on page 5 under License Fees. AS 16.05.940(14); AS 16.05.340(d)

rockfish: includes all fish of the genus *Sebastes*. 5 AAC 75.995(22)

salmon: all salmon including the five species of Pacific salmon. 5 AAC 75.995(23)

saltwater: all marine waters. Marine waters are separated from freshwater at the mouths of streams, rivers and creeks. 5 AAC 75.995(24)

shovel: a hand-operated scoop-like implement. 5 AAC 75.995(25)

single hook: a fish hook with only one point, with or without a barb. 5 AAC 75.995(26)

snagging: hooking a fish elsewhere than in the mouth. 5 AAC 75.022c

sport fishing: the taking of, or attempting to take, any fish for personal use, and not for sale or barter, subject to the provisions of these regulations. AS 16.05.940(16)

stream mouth: means the downstream part of a stream defined as a straight line running from the most downstream extremity on one streambank to the most downstream extremity on the other streambank, or a line between two points on opposite banks determined and marked by the Department. 5 AAC 75.995(27)

take: fishing, trapping, or in any manner disturbing, capturing, or killing, or attempting to pursue, hunt, fish, trap, or in any manner capture or kill fish. AS 16.05.940(18)

toxicant: any material or chemical that upon introduction into the waters of Alaska, by direct or indirect means, will kill, stun, or drive fish from their natural repose. 5 AAC 75.995(28)

transport: ship, transport, carry, import, export, received, or deliver for shipment, transportation, carriage or export. 5 AAC 75.995(29)

trout: includes cutthroat, rainbow and steelhead. 5 AAC 75.995(30)

SUMMARY OF ILLEGAL ACTS

It is unlawful...

...to take razor clams without a valid sport fishing license in possession and by any means other than a manually operated clam gun, shovel, fork, or by hand. 16.05.330(a) 5 AAC 75.031

...to sport fish with more than one line having attached to it more than one plug, spoon, set of spinners, two flies, or two hooks or as indicated in "Sport Fishing Methods and Means" or for a specific regulatory area. 5 AAC 75.020

...to sport fish in fresh water with live fish for bait. 5 AAC 75.022b

...to use explosives or toxicants to take fish. 5 AAC 75.027

...to sport fish within 300 feet of a fish weir or fish ladder. 5 AAC 75.050(a)

...to knowingly disturb, damage, or destroy a notice, poster, or marker, or any other property of the department used in the administration or enforcement of these regulations. AS 16.05.920(h)

...to cast, drift, or place by any means a hook, bait, lure, or fly into closed waters. 5 AAC 75.050(h)

...to possess, transport and release any live fish or live fish eggs (marine fishes exempted), or mark any live fish except in accordance with the terms of a permit issued by the Commissioner of Fish and Game. 5 AAC 75.055

...to molest or impede spawning or the natural movement of fish contrary to the methods and means of sport fishing. 5 AAC 75.060

...to intentionally snag or attempt to snag any fish while sport fishing in fresh water. Fish unintentionally hooked elsewhere than in the mouth must be released immediately. A snagged fish is a fish hooked elsewhere than in the mouth. 5 AAC 75.022c

...to intentionally waste or destroy, except for whitefish and suckers, any species of sport-caught fish for which seasons and bag limits are provided. The head, tail, fins and viscera of legally taken sport fish may be used for bait or other purposes. 5 AAC 75.065

...for anyone to possess unpreserved fish or part thereof not legally taken by himself unless he furnishes on request of an officer authorized to enforce these regulations a statement signed by the person who took the fish stating the type of fish, number of fish, and location and date taken. This statement is unnecessary if the person possessing the fish is accompanied by the person or persons who took the fish. No person may possess fish which were not legally taken. 5 AAC 75.010

...to buy, sell,

SPORT FISH

Sport fishing is the Sport Fish authorized by 42.010

There shall be limits for any Sport Fishing for in the Com

Nothing in 1 person from 12

Sport fishing the hand or arm. The line may not be a series of spins except as indicated each with one h fishing through

Razor clams clam gun, show

Freshwater 12

a. Fixed or standard weight for 5 AAC 75

- b. Multiple hook, with gap between points and shank larger than 1/2 inch unless attached to a plug, spoon, spinner, or artificial lure. 5 AAC 75.022(a)2
- c. Plug, spoon, spinner, or artificial lure having multiple hook(s) with gap between points and shank larger than 1/2 inch except as permitted in Area K. 5 AAC 75.022(a)3
- d. Spear (except as provided for in Areas C and K). Note: Grayling may be taken only by hook and line. 5 AAC 75.022(a)4. (See northern pike exception.)
- e. Arrow. (Except as provided in Area K.) 5 AAC 75.022(a)5

Burbot (freshwater ling) may be taken in freshwater with more than one line and hook (see Area C summer exception) provided that:

- a. The total aggregate of hooks does not exceed 15 in number. 5 AAC 75.033(1)
- b. The hooks are single hooks with gap between point and shank larger than 1/4 inch. 5 AAC 75.033(2)
- c. Each hook is set on the bottom of the lake or stream. 5 AAC 75.033(3)
- d. Each line is identified with the angler's name and address. 5 AAC 75.033(4)
- e. Each line is physically inspected at least once during each 24-hour period. 5 AAC 75.033(5)

Northern pike may be taken at any time without limit and by use of spear (except as provided in Area K). 5 AAC 75.034

Use of Underwater Spears: Sport fishing may be done by spear only in saltwater (in accordance with applicable season and bag limits) by persons completely submerged. 5 AAC 75.028

Smelt and herring may be taken year-round in salt water using up to 15 unbaited single or multiple hooks. 5 AAC 75.030

Sport-caught fish and their parts, and articles manufactured from them, may be possessed within the state by any person at any time, and may be transported within and exported out of the state by any person at any time except as specified for unpreserved fish under "Summary of Illegal Acts," page 12. 5 AAC 75.010

Fly-Fishing-Only Areas: In waters designated as a fly-fishing-only area, sport fishing is permitted only as follows:

- a. With not more than one unweighted, single-hook fly with gap between point and shank 3/8 inch or less. 5 AAC 75.024(1)
- b. Weights may be used 18 inches or more ahead of the fly. 5 AAC 75.024(2)

Single-Hook Areas: In waters designated as single-hook areas, sport fishing is permitted only as follows:

- a. With not more than one single hook with gap between point and shank 1/2 inch or less. 5 AAC 75.023(a)(1)
- b. Hooks or lures (including those of standard manufacture) may not have additional weight attached to them. Sinkers may be used only ahead of the hook or lure. 5 AAC 75.023(a)(2)
- c. Multiple hooks are prohibited. 5 AAC 75.023(b)

EXCEPTIONS

Seward Lagoon: Closed to fishing. 5 AAC 56.050 b (13)(B)

Seward Boat Harbor and Lagoon Area: west of a line from a marker 200 yards south of the terminus of the Seward Lagoon to the east breakwater of the Seward Small Boat harbor, including the Small Boat harbor: closed to coho salmon fishing from September 15 through December 31. 5 AAC 58.050(b)

Ninilchik-Anchor River Area: The waters within a one-mile radius extending from the mouths of Anchor River, Deep Creek, Ninilchik River, and Stariski Creek are closed to king salmon fishing from January 1 through June 30. 5 AAC 58.050(a)(1)(2)(3)(4)

No person may intentionally snag or attempt to snag any species of fish within a one-mile radius of the terminus of the Kenai River. Fish hooked elsewhere than in the mouth must be released immediately. 5 AAC 58.035(b)

Special Provisions

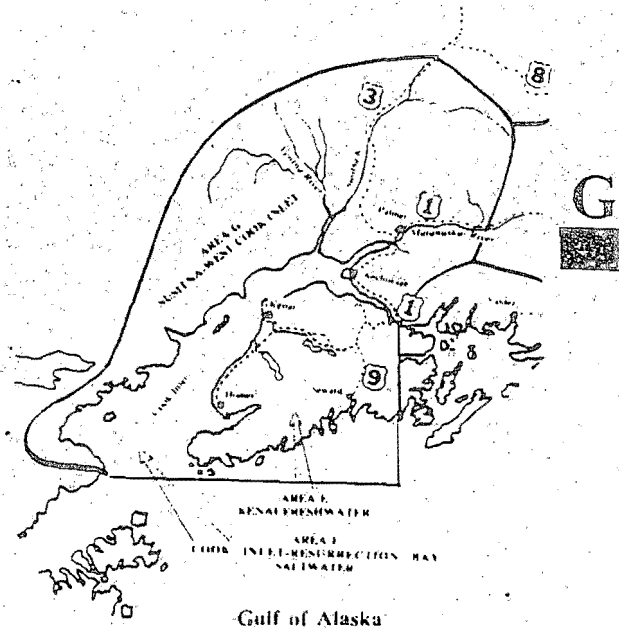
A nontransferable, Harvest Record is required and must be in the possession of all persons taking King Salmon in waters north of a line from Cape Douglas to the tip of Point Adam. A Harvest Record form appears on the back of the regular adult license. Non-licensed anglers (those under 16 years of age or those who are 60 years of age or more and have been a resident for 30 or more consecutive years) must have a numbered Record Card in possession. (See King Salmon/Steelhead summary.) 5 AAC 58.015(a)

A King Salmon/Steelhead Permit Stamp is required for the taking of these species in the waters of Alaska. (See License Fees section of booklet.)

Dip nets may be used to take smelt. 5 AAC 58.035(c)

AREA G—SUSITNA-WEST COOK INLET

DESCRIPTION OF THE SUSITNA-WEST COOK INLET AREA. The Susitna-West Cook Inlet area consists of all fresh water drainages which flow into Cook Inlet, Kamishak Bay and contiguous bays north of the latitude of Cape Douglas (58° 52' N. lat.), excluding the waters of the Kenai Peninsula area, and excluding the upper Susitna River drainage upstream of the confluence of the Oshetna River. 5 AAC 61.005



Open Season: (see Exceptions) January 1 through December 31. 5 AAC 61.010

Bag and Possession Limits are:

- a. **Salmon**, other than king salmon, 16 inches or more in length; three fish. 5 AAC 61.020(a)(1)
- b. In addition, **King Salmon**, 20 inches or more in length; one fish. 5 AAC 61.020(a)(2)
- c. In addition, **Trout, Grayling, Char, King Salmon** less than 20 inches and other salmon species less than 16 inches in length; ten fish except as follows: 5 AAC 61.020(a)(3)(A)
 - 1) Not more than five fish may be **Rainbow Trout**, of which only one may be 20 inches or more in length; 5 AAC 61.020(a)(3)
 - 2) Not more than two **Lake Trout and Grayling** may be 20 inches or more in length; 5 AAC 61.020(a)(3)(A)
 - 3) **Clarence Lake: two Grayling.** 5 AAC 61.020(a)(3)(B)
- d. **Smelt (hooligan):** 200 fish. 5 AAC 61.020(a)(3)(c)
- e. **Yearly bag limit:** See King Salmon Summary.

Special Provisions

A nontransferable, **Harvest Record** is required and must be in the possession of all persons taking King Salmon and/or rainbow/steelhead trout. A Harvest Record form appears on the back of the regular adult license. Non-licensed anglers (those under 16 years of age or those who are 60 years of age or more and have been a resident for 30 or more consecutive years) must have a numbered **Record Card** in possession. (See King Salmon/Steelhead Summary.) 5 AAC 61.015(a)

Smelt (hooligan): May be taken by dip net. 5 AAC 61.035(b)

All fresh waters and drainages of Cook Inlet are closed to the taking of king salmon 20 inches and over in length except during special openings listed in the Special King Salmon/Steelhead Summary. 5 AAC 61.050(a)

In instances where freshwater drainages are "closed to fishing for salmon" in total or in part, this closure applies to king salmon 20 inches in length and over and all other salmon species 16 inches in length and over. 5 AAC 61.050(a)

EXCEPTIONS

All flowing waters inside the area bounded by Willow Creek on the north, Susitna River on the west, Cook Inlet and Knik Arm on the south, and Matanuska River and Moose Creek on the east are closed to all fishing from April 15 through June 14. (Boundary streams remain open.) This closure does not apply in areas where flowing waters are open to fishing for king salmon 20 inches or more in length. 5 AAC 61.050(b)(1)

Alexander Creek: See King Salmon/Steelhead Summary. 5 AAC 61.010(f)(1)(A)

Birch Creek: (Birch Creek Slough) closed to salmon fishing above a marker approximately one-fourth mile upstream from its confluence with the Susitna River. 5 AAC 61.050(b)(3)

Bird Creek: above a point one-fourth mile upstream from the Seward Highway bridge is closed to salmon fishing. 5 AAC 61.050(b)(4)

Bodenburg Creek: (Old Glenn Highway, Palmer) including Knik River waters within a 100-yard radius of Bodenburg Creek terminus is closed to salmon fishing. 5 AAC 61.050(b)(5)

Bonnie Lake: The outlet of Upper Bonnie Lake to the inlet of Lower Bonnie Lake closed to fishing from April 15 through June 30. 5 AAC 61.050(b)(7)

Byers Creek: drainage, including Byers Lake, is closed to salmon fishing upstream from the Parks Highway. 5 AAC 61.050(b)(6)

Campbell Creek Drainage:

- a. Above the Old Seward Highway bridge closed to fishing. 5 AAC 61.050(b)(8)
- b. Below the Old Seward Highway bridge closed to salmon fishing. 5 AAC 61.050(b)(8)

Caswell Creek: from its mouth upstream to the Parks Highway is closed to all fishing from June 1 through July 6 except during king salmon season. See King Salmon/Steelhead Summary. 5 AAC 61.050(b)(2)(D)

Chunilna Creek: See King Salmon/Steelhead Summary.

Clarence Lake: the bag and possession limit is two grayling of any size.

Cottonwood Creek and drainage (Wasilla area):

- a. Designated a single-hook area (see Methods and Means, page 16)
- b. Closed to salmon fishing above a department marker placed one mile below Fairview Loop Road crossing. 5 AAC 61.050(b)(9)
- c. Downstream from a department marker one mile below the Fairview Loop Road crossing, is open to fishing on Saturday and Sunday. 5 AAC 61.010(b)

Deception Creek: (Willow area) is closed to salmon fishing. 5 AAC 61.050(b)(10)

Deshka River: See King Salmon/Steelhead Summary.

Eagle River: above a point one-fourth mile upstream from the old Anchorage-Palmer Highway bridge closed to salmon fishing. 5 AAC 61.050(b)(11)

Fish Creek Drainage (Wasilla area):

- a. is designated a single-hook area (see Methods and Means, page 16.) 5 AAC 61.045(b)
- b. closed to fishing downstream from the Knik-Goose Bay Road except on Saturdays and Sundays beginning the second Saturday in August. 5 AAC 61.010(c)
- c. Entire drainage is closed to salmon fishing upstream from the Knik-Goose Bay Road. 5 AAC 61.050(b)(12)

Goose Creek: that portion of the stream downstream of the Parks Highway and all waters within a one-fourth mile radius of the stream's confluence with the Susitna River is closed to all fishing from June 1 through July 6. 5 AAC 61.050(b)(2)(A)

Indian Creek: (Anchorage) closed to fishing from July 1 through August 14. 5 AAC 61.050(b)(13)

Johnson Lake: (Palmer area): Closed to fishing. 5 AAC 61.050(b)(14)

Lake Creek: See King Salmon/Steelhead Summary.

Little Susitna River:

- a. River drainage is closed to salmon fishing upstream from the Parks Highway. 5 AAC 61.050(b)(15)
- b. See King Salmon/Steelhead Summary.

Little Willow Creek: that portion of the stream downstream of the Parks Highway and all waters within a one-fourth mile radius of the stream's confluence with the Susitna River is closed to all fishing from June 1 through July 6. 5 AAC 61.050(b)(2)(B)

Lone Creek: closed to fishing for rainbow trout from its confluence with the Chum River to a point one-fourth mile upstream from April 15 through June 14.

McNeil River State Game Sanctuary: the area within one-half mile of the McNeil River Falls located approximately one mile upstream from McNeil Lagoon, is closed to fishing. 5 AAC 61.050(b)(16)

Meadow Creek Drainage (Wasilla area): except for Lake Lucile, closed to salmon fishing. 5 AAC 61.050(b)(17)

Montana Creek:

- a. Above a marker one mile upstream from the Alaska Railroad bridge closed to salmon fishing. 5 AAC 61.050(b)(18)
- b. From its mouth upstream to the Parks Highway closed to all fishing June 1 through July 6 except during king salmon season. See King Salmon/Steelhead Summary. 5 AAC 61.050(b)(2)(E)

Peters Creek: above a point one-fourth mile upstream from the old Anchorage-Palmer Highway bridge closed to salmon fishing. 5 AAC 61.050(b)(19)

Rabbit Creek (Potter Marsh)

- a. Closed to salmon fishing. 5 AAC 61.050(b)(20)
- b. Downstream from the Old Seward Highway closed to fishing. 5 AAC 61.050(b)(20)

Sheep Creek: that portion of the stream downstream of the Parks Highway and all waters within a one-fourth mile radius of the stream's confluence with the Susitna River is closed to all fishing from June 1 through July 6. 5 AAC 61.050(b)(2)(C)

Ship Creek (Anchorage area)

- a. Closed to fishing from January 1 through August 17. 5 AAC 61.010(d)
- b. is designated a single-hook area (see Methods and Means, page 16). 5 AAC 61.045(d)
- c. Upstream from a point 300 feet below the Chugach Power Plant dam closed to salmon fishing. 5 AAC 61.050(b)(21)

Talachulitna River and tributaries downstream from Judd Lake:

- a. Only unbaited single-hook artificial lures may be used. 5 AAC 61.045(e)
- b. Entire area is a rainbow trout hook-and-release fishery; all rainbow trout caught shall be immediately released. 5 AAC 61.050(b)(22)

Three-Mile Creek: closed to salmon fishing 300 feet upstream and 300 feet downstream from the Standard Oil Road. 5 AAC 61.050(b)(23)

Wasilla Creek (Rabbit Slough)

- a. Designated a single-hook area (see Methods and Means, page 16). 5 AAC 61.045(e)

- b. Closed to salmon fishing upstream from the Alaska Railroad trestle bridge. 5 AAC 61.050(b)(24)
- c. The area below the railroad trestle bridge is open to fishing on Saturday and Sunday. 5 AAC 61.010(e)

Willow Creek (Willow area)

- a. Upstream from its confluence with Deception Creek and including Deception Creek is closed to salmon fishing. 5 AAC 61.050(b)(25)
- b. from its mouth upstream to the Parks Highway is closed to fishing June 1 through July 6 except during king salmon season. See King Salmon/Steelhead Summary. 5 AAC 61.050(b)(2)(f)

Wolverine Lake outlet to Wolverine Creek closed to fishing from April 15 through June 14. 5 AAC 61.050(b)(26)

Field Notes:

Keep track of your fish; you might receive a Sport Fish Harvest Questionnaire.

This survey is mailed each fall to a random sample of Alaska's Sport Fishermen asking where what kinds of fish were caught the previous summer. This valuable information is used in management of all our stocks...to help insure there will always be healthy game fish populations and maximum sport fishing opportunities.

Date	Fish	Size	Water
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KING SALMON/STEELHEAD TROUT SUMMARY

A non-transferable **Harvest Record** is required and must be in the possession of all persons taking King Salmon and/or rainbow/steelhead trout. A Harvest Record torn appears on the back of the regular adult license. Non-licensed anglers (those under 16 years of age or those who are 60 years of age or more and have been a resident for 30 or more consecutive years) must have a **Record Card** in possession. 5 AAC 56.015(a), 58.015(a), 61.015(a)

A **King Salmon/Steelhead Permit Stamp** is required for the taking of these species in the waters of Alaska. (See License Fees section of booklet.)

This is required when fishing for the following:

- a. King salmon 20 inches or over in length in all freshwaters of the Kenai Peninsula north of the latitude of Point Adam (Area E); that portion of the marine waters of Cook Inlet-Resurrection Bay (Area F) north of a line from Point Adam to Cape Douglas; and the fresh waters of the Susitna Basin/Western Cook Inlet drainages (Area G). 5 AAC 56.015(a)(1), 58.015, 61.015
- b. Rainbow/steelhead trout 20 inches or over in length in the fresh waters of the Kenai Peninsula flowing into Cook Inlet. 5 AAC 56.015(a)(2)

Immediately upon landing a king salmon or rainbow/steelhead described above, the appropriate water shall be recorded on the form or card and the date recorded. 5 AAC 56.015(b), 58.015, 61.015(b)

Yearly Combined Cook Inlet Area Record Bag Limit:

- a. The yearly aggregate bag limit for king salmon 20 inches or over in length is five (5) for those waters listed in (a) above. 5 AAC 56.015(c)(1), 58.015(c), 61.015(c)
- b. The yearly aggregate bag limit for rainbow/steelhead trout 20 inches or over in length is five (5). This limit applies only to those fresh waters of the Kenai Peninsula which flow into Cook Inlet. 5 AAC 56.015(c)(2)

Note: Nothing in this section affects or modifies any existing bag and possession limits. For bag and possession limits see Areas E, F and G Bag Limits and the King Salmon/Steelhead Summary. 5 AAC 56.015(c); 5 AAC 58.015; 5 AAC 61.015

All fresh waters and drainages of Cook Inlet are closed to the taking of king salmon 20 inches and over in length except as noted in this section; however, king salmon under 20 inches in length may be taken from any waters open to fishing. (Areas E and G.) 5 AAC 56.050(a), 61.050(a)

Special Provisions

AREA E—KENAI PENINSULA FRESHWATER

Bag and Possession Limits are:

- a. One rainbow/steelhead 20 inches or over in length. 5 AAC 56.020(a)(3)(A)
- b. One king salmon 20 inches or over in length. 5 AAC 56.020(a)(2)

Seasons and Areas:

The following waters are open to king salmon fishing during the dates listed:

- a. **Anchor River** below the junction of the North and South Forks May 29, 30, 31; June 5, 6, 7; June 12, 13, 14 and June 19, 20, 21. 5 AAC 56.010(c)(6)
- b. **Deep Creek** in the lower two miles as posted; May 29, 30, 31; June 5, 6, 7; June 12, 13, 14 and June 19, 20, 21. 5 AAC 56.010(c)(5)
- c. **Nimilchik River** in the lower two miles as posted open May 29, 30, 31; June 5, 6, 7 and June 12, 13, 14. 5 AAC 56.010(c)(4)
- d. **Kasilof River** January 1 through June 30. 5 AAC 56.010(c)(3)
- e. **Kenai River** (from its mouth upstream to Skilak Lake) January 1 through July 31. However, that portion of the Kenai River from the Sterling Highway Bridge at Soldotna downstream to the upper breakwater at the Centennial Park boat launch is closed to fishing from boats from May 15 through July 31. Gaffs may not be used to land king salmon. 5 AAC 56.010(c)(1)
- f. **Moose River** (from its confluence with the Kenai River upstream to the Sterling Highway Bridge): January 1 through July 31. This is a fly fishing-only area from May 15 through August 15. 5 AAC 56.010(c)(2)

AREA G—SUSITNA-WEST COOK INLET

Bag and Possession Limits are:

King salmon; one per day 20 inches or over in length; two in possession.

Seasons and areas:

- a. Alexander Creek from its mouth upstream to Alexander Lake; open to king salmon fishing from May 22 through July 6. 5 AAC 61.010(f)(1)(A)
- b. Chumilna (Clear) Creek from its mouth to a department marker placed two miles upstream and all waters within a one-fourth mile radius of the stream's confluence with the Talkeetna River; open to king salmon fishing from May 22 through July 6. 5 AAC 61.010(f)(1)(B)
- c. Deshka River from its mouth upstream to the forks (confluence of Moose Creek and Kroto Creek); open to king salmon fishing from May 22 through July 6. 5 AAC 61.010(f)(1)(C)
- d. Lake Creek from its mouth upstream to a department marker at Bulchitna Lake, approximately two miles and all waters within a one-fourth mile radius of its confluence with the Yentna River; open to king salmon fishing from May 22 through July 6. 5 AAC 61.010(f)(1)(D)
- e. Little Susitna River from its mouth upstream to the Parks Highway Bridge at Houston; open to king salmon fishing May 22 through July 6. 5 AAC 61.010(f)(1)(E)

f. Caswell Creek from its mouth upstream to the Parks Highway and all waters within a one-fourth mile radius of the stream's confluence with the Susitna River; open to king salmon fishing for four consecutive weekends, beginning June 12. Closed to all fishing from June 1 through July 6 except during the king salmon season. 5 AAC 61.010(f)(2)(A)

g. Montana Creek from its mouth upstream to the Parks Highway and all waters within a one-fourth mile radius of the stream's confluence with the Susitna River; open to king salmon fishing for four consecutive weekends, beginning June 12. Closed to all fishing from June 1 through July 6 except during the king salmon season. 5 AAC 61.010(f)(2)(B)

h. Willow Creek from its mouth upstream to the Parks Highway and all waters within a one-fourth mile radius of the stream's confluence with the Susitna River; open to king salmon fishing for four consecutive weekends, beginning June 12. Closed to all fishing from June 1 through July 6 except during the king salmon season. 5 AAC 61.010(f)(2)(C)

AREA F—COOK INLET RESURRECTION BAY SALTWATER

Bag Limit (Area F)

The bag and possession limit is two king salmon.

EXCEPTIONS

The waters within a one-mile radius extending from the mouth of Anchor River, Deep Creek, Niniichik River, and Stariski Creek are closed to the taking of king salmon from January 1 through June 30.

Chulitna River; the drainage into the east bank of the

the Copper River and the Gulkana River east bank of the Copper River to the the Gakona River, then up the Gakona Gakona Glacier to the boundary of Ga Unit 13, then westerly along the boundary Management Unit 13 to the Susitna Glacier along the west bank of the Susitna Susitna River to the Tyone River, then and across a divide to the headwaters of the Gulkana River, then down the Gulkana River to its confluence with the point of beginning.

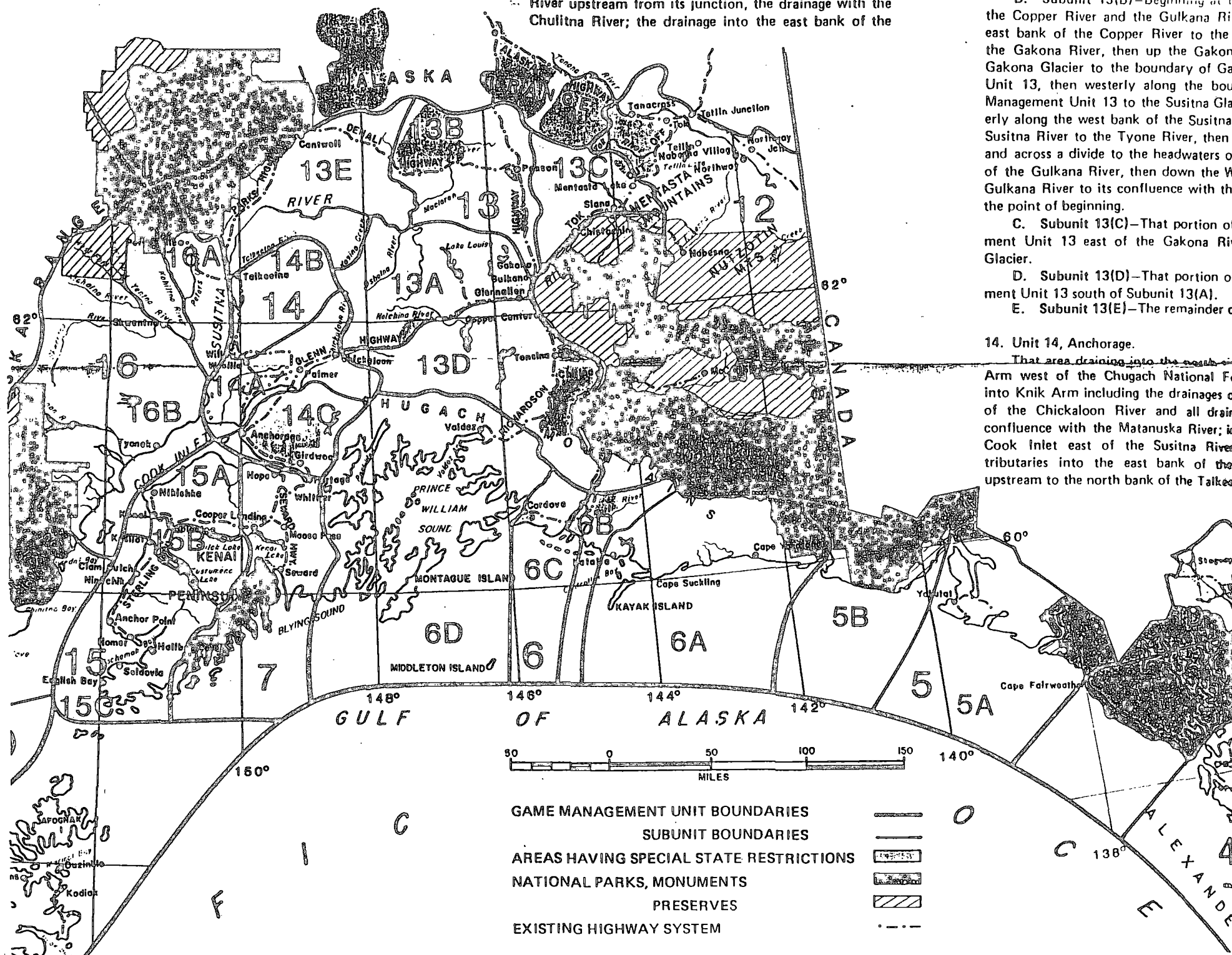
C. Subunit 13(C)—That portion of
ment Unit 13 east of the Gakona Riv
Glacier.

D. Subunit 13(D)—That portion of
ment Unit 13 south of Subunit 13(A).

E. Subunit 13(E)—The remainder o

14. Unit 14, Anchorage.

Arm west of the Chugach National Forest into Knik Arm including the drainages of the Chickaloon River and all drainages of the Matanuska River; in Cook Inlet east of the Susitna River and all tributaries into the east bank of the river upstream to the north bank of the Tanana River.



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D. Subunit 9(D)—That portion of Unit 9 south and west of a line drawn from the head of Port Moller Bay to the head of American Bay, including the Shumagin Islands and other islands to the west of that line.

E. Subunit 9(E)—The remainder of Unit 9.

10. Unit 10, Aleutian Islands.

The Aleutian Islands and the Pribilof Islands.

11. Unit 11, Wrangell Mountains-Chitina River.

That area draining into the headwaters of the Copper River south of Susitna Creek and the area drained by all tributaries into the east bank of the Copper River between the confluence of Susitna Creek with the Siana River and Miles Glacier.

12. Unit 12, Upper Tanana-White River.

That area drained by the Tanana River and its tributaries upstream from the east bank of the Robertson River to the Alaska-Canada boundary and the White River and its tributaries except the Ladue River lying within Alaska.

13. Unit 13, Nelchina-Upper Susitna.

That area westerly of the east bank of the Copper River and drained by all tributaries into the west bank of the Copper River from Miles Glacier and including the Siana River drainages north of Susitna Creek; the drainages into the Delta River upstream from Clear Creek and Black Rapids Glacier; the drainage into the Nenana River upstream from the southeast corner of Mt. McKinley National Park at Windy; the drainage into the Susitna River upstream from its junction, the drainage with the Chulitna River; the drainage into the east bank of the

Chulitna River upstream to its confluence with Tokositna River; the drainages of the Chulitna River (south of Mt. McKinley National Park) upstream from its confluence with the Tokositna River; the drainages into the north bank of the Tokositna River upstream to the base of the Tokositna Glacier; the drainages into the Tokositna Glacier; the drainage into the east bank of the Susitna River between its confluence with the Talkeetna and Chulitna Rivers; the drainage into the north bank of the Chickaloon River drainages of the Matanuska River above its confluence with the Chickaloon River.

A. Subunit 13(A)—Beginning at the Chickaloon River bridge at Mile 77.7 on the Glenn Highway, then along the Glenn Highway to its junction with the Richardson Highway, then south along the Richardson Highway to the foot of Simpson Hill at Mile 111.5, then due east to the east bank of the Copper River, then northerly along the east bank of the Copper River to its junction with Gulkana River, then northerly along the west bank of the Gulkana River to its junction with the West Fork of the Gulkana River, then westerly along the west bank of the West Fork of the Gulkana River to its source, an unnamed lake, then across a divide into the Tyone River, then down an unnamed stream into the Tyone River, then down the Tyone River to the Susitna River, then down the southern bank of the Susitna River to the mouth of Kosina Creek, then up Kosina Creek to its headwaters, then across a divide and down Aspen Creek to the Talkeetna River, then southerly along the boundary of Game Management Unit 13 to the Chickaloon River bridge, of beginning.

B. Subunit 13(B)—Beginning at the confluence of the Copper River and the Gulkana River, then up the east bank of the Copper River to the confluence with the Gakona River, then up the Gakona River and the Gakona Glacier to the boundary of Game Management Unit 13, then westerly along the boundary of Game Management Unit 13 to the Susitna Glacier, then southerly along the west bank of the Susitna Glacier and the Susitna River to the Tyone River, then up Tyone River and across a divide to the headwaters of the West Fork of the Gulkana River, then down the West Fork of the Gulkana River to its confluence with the Copper River, the point of beginning.

C. Subunit 13(C)—That portion of Game Management Unit 13 east of the Gakona River and Gakona Glacier.

D. Subunit 13(D)—That portion of Game Management Unit 13 south of Subunit 13(A).

E. Subunit 13(E)—The remainder of Unit 13.

A. Subunit 14(A)—TI ed on the south by Cook I bank of the Knik River fr junction with Knik Glaci Knik Glacier and along the the Unit 6 boundary; on River; on the north by W and along a line from the the headwaters of the Chi by the eastern boundary o

B. Subunit 14(B)—1 north of Subunit 14(A).

C. Subunit 14(C)—1 ed on the north by Knik ary of Subunit 14(A); or Unit 6; on the south by Turnagain Arm.

15. Unit 15, Kenai.

That part of the K Gulf of Alaska, Cook I Gore Point to the point crosses the coast line o Arm and lying west of mouth of the Russian R Chugach National Fores Upper Russian Lake; a Upper Russian Lake v Forest boundary.

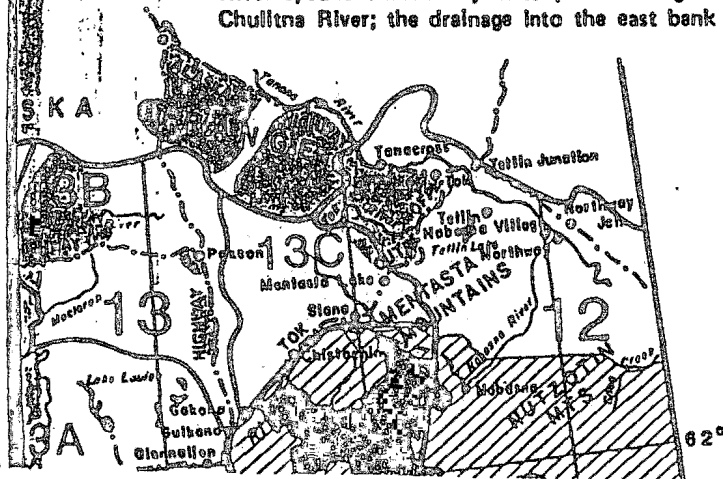
A. Subunit 15(A)— ed on the south by the K

B. Subunit 15(B)— of the Kasilof River, Tus Tustumena Glacier; and Skilak Lake.

C. Subunit 15(C)— of the Kasilof River, Tus Tustumena Glacier.

16. Unit 16, Lower Susi

The drainage into t and including Redoubt northward to and inc drainage from the west upstream to its junctio drainage from the west River below its conflu drainage from the south na River upstream to th which includes the drain



GENERAL INFORMATION

SOME COMMON VIOLATIONS

HIGHWAY LITTERING. It is unlawful to leave any portion of a game animal on a highway or highway right-of-way. Please leave entrails, hides, etc., in the field out of sight of roads or trails. Take your grocery litter home for disposal.

SHOOTING ON OR ACROSS A HIGHWAY. It is unlawful to shoot from, on, or across a highway.

FAILURE TO VALIDATE A HARVEST TICKET. Harvest tickets (stubs) must be validated IMMEDIATELY after the kill is made by completely removing from the ticket the day and month on which the game was taken.

PICKING UP LIVE BABY ANIMALS. Taking or holding live game (including birds) is unlawful without a permit from the Department of Fish and Game. If you think animals have been abandoned or hurt, call the nearest Department of Public Safety office (Fish and Wildlife Protection).

HOW TO REPORT VIOLATIONS

If you observe a violation of the game laws, you can assist the Fish and Wildlife Protection Division by recording the following information and reporting it to the nearest offices of the Alaska State Troopers/Fish and Wildlife Protection.

Upon observing a violation, accurately record the following information:

1. Type of violation
2. Location of violation
3. Time of violation
4. Date of violation
5. Photographs if possible
6. Description of suspect(s) (clothes, physical description, type of equipment used in violation, motor vehicle—make, year, color, license number)
7. Direction of travel if known
8. Brief but concise statement of violation in order of events
9. Names and addresses of witnesses if possible.

HARVEST REPORTS AND HARVEST TICKETS

HARVEST REPORT PERIOD. In certain cases, hunters must possess harvest reports (see Licenses, Metal Locking Tags and Fees). Harvest reports are valid during the period July 1 through June 30 of the following year, but must be filled out totally and mailed within 15 days after taking the appropriate animal OR within 15 days after the closing date of that species' season. The reports NEED NOT be carried afield.

Note: Military personnel may hunt big game without a state license on any military property open to hunting in the state, but must abide by all other provisions of state law. Such areas usually require a permit from military authorities.

HARVEST TICKET is the numbered stub issued with the harvest report. The stubs must be carried when hunting a particular species. (See further instructions under Licenses, Metal Locking Tags and Fees.)

CHAPTER 81. HUNTING.

ARTICLE 1. LICENSES, HARVEST REPORTS AND HARVEST TICKETS.

5 AAC 81.010. HARVEST TICKETS AND REPORTS. (a) No persons may hunt for deer, sheep, or moose in any game management unit, or for caribou in Units 9, 12, and 16-26, unless he has in his personal possession a nontransferable harvest ticket for the species of game animal being hunted; however, no harvest ticket is required for big game taken by a permittee under the conditions of a permit hunt.

(b) No person may hunt for moose or sheep in any game management unit, or for caribou in Units 9, 12 and 16-26, unless he first obtains a harvest report which accompanies the harvest ticket for the species. Persons issued harvest reports shall comply with the reporting requirements of (g) of this section.

(c) Immediately upon killing a big game animal for which a harvest ticket is required by (a) of this section, the hunter shall validate the harvest ticket by completely removing from the ticket the day and month on which the kill was made, without obliterating or destroying any other month or day printed on the ticket.

(d) A person taking a big game animal for which a harvest ticket is required by (a) of this section shall keep the validated harvest ticket in his actual possession at all times until the animal is delivered to the location where it will be processed for consumption.

(e) No person may refuse to produce or permit inspection of a big game harvest ticket upon the request of any person authorized by AS 16.05.150 to enforce provisions of AS 16.05 or regulations adopted under it.

(f) Harvest tickets and accompanying harvest report forms may be procured without cost from any licensing agent or department office. At the time of issuance, the number of the harvest ticket must be entered on the hunter's license; the number of each harvest ticket issued the previous calendar year must also be entered on the hunter's license if the harvest ticket is still valid.

(g) Within 15 days after taking the bag limit allowed for the species of game for which a harvest ticket is required, the hunter shall fill out the information requested on the harvest report and mail it to the address printed on the report; a person not taking game, or taking less than the allowable bag limit, shall fill out the information requested on the harvest report and mail it to the address printed on the report, within 15 days after the closing date of the opening season for the species listed on the report.

5 AAC 81.020. LICENSES, AGE REQUIREMENTS AND SHOWING OF LICENSES AND TAGS TO OFFICERS. Upon request, licenses and tags, and birds, mammals or fish taken or otherwise dealt with under the provisions of this title, apparatus designed to be, and capable of being used to take birds, mammals or fish shall be shown to anyone authorized to enforce these regulations.

5 AAC 81.021. MUSKOXEN TAG FEES. (a) The resident tag fee for bull and cow muskoxen taken on Nelson Island pursuant to 5 AAC 81.320 (10) is \$25.00.

(b) The resident tag fee for cow muskoxen taken on Nunivak Island pursuant to 5 AAC 81.320(10) is \$25.00.

Note: The resident tag fee for bull muskoxen in the remainder of the state is \$500.00; the nonresident tag fee in the remainder of the state is \$1,000.00.

LICENSES, METAL LOCKING TAGS, AND FEES

License period. Hunting licenses and big game metal locking tags are valid for the period January 1 to December 31, inclusive, of the year for which they are issued, except that the resident trapping license is valid from October 1 to the following September 30, inclusive.

RESIDENT LICENSE FEES.

Trapping license	\$ 3.00
Hunting license	12.00
Hunting and trapping license	15.00
Hunting and sport fishing license	22.00
Hunting, trapping, and sport fishing license	25.00

However, the fee is 25 cents for the head of a family or a dependent member of his family or one solely dependent upon himself for support upon proof presented by the applicant that the applicant (A) is obtaining or has obtained assistance during the preceding six months under any state or federal welfare program to aid the indigent, or (B) has an annual gross income of less than \$5,600 for the year preceding application. The 25 cent license is a regular hunting, trapping and sport fishing license and entitles the licensee to all of the privileges, but only those privileges, granted to any other person with a hunting, trapping and sport fishing license.

No license is required for an Alaskan resident over 60 years of age who has lived in the state for 30 or more consecutive years. As of July 8, 1980, a permanent identification card issued by the State of Alaska Department of Revenue is required. The I.D. card replaces the sport fishing, hunting, and trapping license at no charge to the resident.

Fur dealer license	50.00
Taxidermy license	75.00
Fish, fur or game farming license	100.00

No license is required of an Alaskan resident under 16 years of age, for hunting or trapping. AS 16.05.400(a). Licenses and big game tags are required of all nonresidents, regardless of age, for hunting and trapping. However, all residents, regardless of age, intending to hunt brown/grizzly bear, are required to possess a resident brown/grizzly bear tag. Brown/grizzly bear tags expire on December 31 of the year for which they are issued.

RESIDENT BIG GAME TAGS AND FEES

Muskoxen

(bull) (Nunivak Island and Arctic National Wildlife Refuge)	\$500.00
(Nelson Island)	25.00
(cow) (Nelson and Nunivak Island)	25.00

Bear brown or grizzly	each 25.00
Resident or nonresident permit application fee (all species for which a limited drawing is conducted, except muskoxen)	5.00

LICENSES, METAL LOCKING TAGS, AND FEES

Resident or nonresident permit application fee for muskoxen	each 10.00
Military small game hunting license	12.00
Military small game hunting and sport fishing license	22.00

NONRESIDENT BIG GAME TAGS AND FEES

A nonresident may not take a big game animal without previously purchasing a numbered, nontransferable, appropriate tag, issued to him as provided in this subsection. The tag shall be affixed to the animal immediately upon capture and shall remain affixed until the animal is prepared for storage, consumed, or exported.

Fees for NONRESIDENT licenses are as follows:

Hunting license	\$ 60.00
Hunting and sport fishing license	90.00
Hunting and trapping license	200.00
Fur dealer license	200.00
Taxidermy license	200.00

Fees for NONRESIDENT big game locking tags are as follows:

Bear, black	each \$ 100.00
Bear, brown or grizzly	each 250.00
Bear, polar	each 250.00
Bison	each 250.00
Caribou	each 200.00
Deer	each 35.00
Elk	each 125.00
Goat	each 125.00
Moose	each 200.00
Muskoxen	each 1,000.00
Sheep	each 250.00
Walrus	each 250.00
Wolf	each 50.00
Wolverine	each 50.00

ALL NONRESIDENTS regardless of age, must have a valid hunting license and tag(s) in their possession while taking or attempting to take game. AS 16.05.330(a).

Alien persons not lawfully admitted to the United States are prohibited from taking game in the State of Alaska or its waters.

Metal locking tags are issued to an individual and are nonrefundable and nontransferable.

Metal locking tags must be affixed and locked to an animal immediately upon taking and must remain affixed and locked until the animal is prepared for storage, consumed, or exported.

**LICENSES, METAL LOCKING
TAGS, AND FEES**

A single metal locking tag may be used to satisfy the tagging requirements for any species for which the tag fee is of equal or less value, but only during the calendar year in which the tag is issued.

GUIDES REQUIRED FOR NONRESIDENT HUNTERS. Nonresidents are required to have a guide or be accompanied by an Alaskan resident over 19 years of age within the second degree of kindred (see "Definitions,") when hunting brown/grizzly bear and Dall sheep. Page 67.

For more information regarding guiding, contact the Department of Commerce and Economic Development in Juneau, Alaska - phone 465-2542.

Address: Department of Commerce and Economic Development
Guide Licensing and Control Board
Pouch D - State Office Building
Juneau, AK 99801

Duck Stamp. No person, resident or nonresident, 16 years of age or older may take waterfowl unless he carries a current, signed federal migratory bird hunting stamp (duck stamp) on his person.

**LICENSES, METAL LOCKING
TAGS, AND FEES**

Where to obtain licenses, metal locking tags, harvest reports and tickets. Licenses may be obtained from any designated issuing agent or by mail from the Licensing Section, Alaska Department of Revenue, 1107 W. 8th St., Juneau, Alaska 99801.

Harvest reports with attached harvest tickets may be obtained without charge from any licensing agent or Department of Fish and Game office.

Lost licenses, metal locking tags or harvest reports and harvest tickets. Any full price resident or nonresident license, or a visitor's license may be duplicated for a \$2 fee at any license vendor (sporting goods stores, etc.), upon completion of an affidavit. Duplicate harvest reports and tickets can be obtained at no cost from these same vendors.

A duplicate big game metal locking tag can be obtained from the Department of Revenue, Fish and Game Licensing Division, 1107 W. 8th Street, Juneau, Alaska, after completion of appropriate affidavit, and remittance of \$2 for each big game tag requested.

False statements, alterations, and transfers. Any false statement as to any material fact in an application for a license renders the license null and void, and the person making the false statement is guilty of a violation of these regulations.

Any person who alters, changes, loans or transfers any license, tag, or harvest ticket issued to him under these regulations is guilty of a violation of these regulations. Similarly, any person who uses any license, tag, or harvest ticket other than the one issued to him under these regulations is guilty of a violation of these regulations, except as provided for blind persons. AS 16.05.420(a)(b)

GENERAL INFORMATION

HUNTING means the taking of game under the rules and regulations of the Alaska Fish and Game Code and the Board of Game.

GAME means all species of birds and mammals, including feral domestic animals, found or that may be introduced in Alaska except domestic birds and mammals; provided, however, that "game" as herein defined is further classified by regulations as big game, small game, fur animals, marine mammals, and unclassified game.

SUBSISTENCE HUNTING policy and definitions; see 5 AAC 99.010, pages 69-70.

HUNTING IN STATE PARKS. Portions of the State Park System are open to lawful hunting; HOWEVER, the laws pertaining to discharge of firearms vary from park to park. Many State parks, recreation areas and other areas closed to the discharge of firearms are open to hunting by other means, such as bow and arrow. For specific information, call the offices of the State Division of Parks, Department of Natural Resources.

MARINE MAMMAL HUNTING is presently controlled by the federal government. Please contact the U.S. Fish and Wildlife Service for information on hunting walrus, polar bear, and sea otter. Contact the U.S. Department of Commerce for information on hunting seals, sea lions and belukha.

OFF-ROAD VEHICLE USE. State law requires that any motorized vehicle crossing of anadromous fish streams (salmon, trout, sheefish, or whitefish), be regulated under terms of a Department permit. Hunters are advised to contact the Alaska Department of Fish and Game, Habitat Division, at Anchorage, Fairbanks, Juneau or Nome for further information before going afield.

WHOLE REGULATIONS may establish an open season on certain game, local regulations, ordinances, or rules by the landowner or municipality may prohibit access or discharge of firearms.

UNIT BAG LIMITS. "No game may be taken in any unit or subunit in which the bag limit is equal to or less than the total number of the same species previously taken in any area of the state during the current regulatory year. (See definition of bag limit.)"

GENERAL INFORMATION

SOME COMMON VIOLATIONS

HIGHWAY LITTERING. It is unlawful to leave any portion of a game animal on a highway or highway right-of-way. Please leave entrails, hides, etc., in the field out of sight of roads or trails. Take your grocery litter home for disposal.

SHOOTING ON OR ACROSS A HIGHWAY. It is unlawful to shoot from, on, or across a highway.

FAILURE TO VALIDATE A HARVEST TICKET. Harvest tickets (stubs) must be validated IMMEDIATELY after the kill is made by completely removing from the ticket the day and month on which the game was taken.

PICKING UP LIVE BABY ANIMALS. Taking or holding live game (including birds) is unlawful without a permit from the Department of Fish and Game. If you think animals have been abandoned or hurt, call the nearest Department of Public Safety office (Fish and Wildlife Protection).

HOW TO REPORT VIOLATIONS

If you observe a violation of the game laws, you can assist the Fish and Wildlife Protection Division by recording the following information and reporting it to the nearest offices of the Alaska State Troopers/Fish and Wildlife Protection.

Upon observing a violation, accurately record the following information:

1. Type of violation
2. Location of violation
3. Time of violation
4. Date of violation
5. Photographs if possible
6. Description of suspect(s) (clothes, physical description, type of equipment used in violation, motor vehicle—make, year, color, license number)
7. Direction of travel if known
8. Brief but concise statement of violation in order of events
9. Names and addresses of witnesses if possible.

HARVEST REPORTS AND HARVEST TICKETS

HARVEST REPORT PERIOD. In certain cases, hunters must possess harvest reports (see Licenses, Metal Locking Tags and Fees). Harvest reports are valid during the period July 1 through June 30 of the following year, but must be filled out totally and mailed within 15 days after taking the appropriate animal OR within 15 days after the closing date of that species' season. The reports NEED NOT be carried afield.

Note: Military personnel may hunt big game without a state license on any military property open to hunting in the state, but must abide by all other provisions of state law. Such areas usually require a permit from military authorities.

HARVEST TICKET is the numbered stub issued with the harvest report. The stubs must be carried when hunting a particular species. (See further instructions under Licenses, Metal Locking Tags and Fees.)

CHAPTER 81. HUNTING.

ARTICLE 1. LICENSES, HARVEST REPORTS AND HARVEST TICKETS.

5 AAC 81.010. HARVEST TICKETS AND REPORTS. (a) No persons may hunt for deer, sheep, or moose in any game management unit, or for caribou in Units 9, 12, and 16-26, unless he has in his personal possession a nontransferable harvest ticket for the species of game animal being hunted; however, no harvest ticket is required for big game taken by a permittee under the conditions of a permit hunt.

(b) No person may hunt for moose or sheep in any game management unit, or for caribou in Units 9, 12 and 16-26, unless he first obtains a harvest report which accompanies the harvest ticket for the species. Persons issued harvest reports shall comply with the reporting requirements of (g) of this section.

(c) Immediately upon killing a big game animal for which a harvest ticket is required by (a) of this section, the hunter shall validate the harvest ticket by completely removing from the ticket the day and month on which the kill was made, without obliterating or destroying any other month or day printed on the ticket.

(d) A person taking a big game animal for which a harvest ticket is required by (a) of this section shall keep the validated harvest ticket in his actual possession at all times until the animal is delivered to the location where it will be processed for consumption.

(e) No person may refuse to produce or permit inspection of a big game harvest ticket upon the request of any person authorized by AS 16.05.150 to enforce provisions of AS 16.05 or regulations adopted under it.

(f) Harvest tickets and accompanying harvest report forms may be procured without cost from any licensing agent or department office. At the time of issuance, the number of the harvest ticket must be entered on the hunter's license; the number of each harvest ticket issued the previous calendar year must also be entered on the hunter's license if the harvest ticket is still valid.

(g) Within 15 days after taking the bag limit, allowed for the species of game for which a harvest ticket is required, the hunter shall fill out the information requested on the harvest report and mail it to the address printed on the report; a person not taking game, or taking less than the allowable bag limit, shall fill out the information requested on the harvest report and mail it to the address printed on the report, within 15 days after the closing date of the opening season for the species listed on the report.

5 AAC 81.020. LICENSES, AGE REQUIREMENTS AND SHOWING OF LICENSES AND TAGS TO OFFICERS. Upon request, licenses and tags, and birds, mammals or fish taken or otherwise dealt with under the provisions of this title, apparatus designed to be, and capable of being used to take birds, mammals or fish shall be shown to anyone authorized to enforce these regulations.

5 AAC 81.021. MUSKOXEN TAG FEES. (a) The resident tag fee for bull and cow muskoxen taken on Nelson Island pursuant to 5 AAC 81.320 (10) is \$25.00.

(b) The resident tag fee for cow muskoxen taken on Nunivak Island pursuant to 5 AAC 81.320(10) is \$25.00.

Note: The resident tag fee for bull muskoxen in the remainder of the state is \$500.00; the nonresident tag fee in the remainder of the state is \$1,000.00.

CHAPTER 81. HUNTING.

ARTICLE 1.

LICENSES, HARVEST REPORTS AND HARVEST TICKETS.

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(d) A person taking a big game animal for which a harvest ticket is required by (a) of this section shall keep the validated harvest ticket in his actual possession at all times until the animal is delivered to the location where it will be processed for consumption.

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(g) Within 15 days after taking the bag limit allowed for the species of game for which a harvest ticket is required, the hunter shall fill out the information requested on the harvest report and mail it to the address printed on the report; a person not taking game, or taking less than the allowable bag limit, shall fill out the information requested on the harvest report and mail it to the address printed on the report, within 15 days after the closing date of the opening season for the species listed on the report.

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Note: The resident tag fee for bull muskoxen in the remainder of the state is \$500.00; the nonresident tag fee in the remainder of the state is \$1,000.00.

ARTICLE 2.
PERMITS AND REPORTS

5 AAC 81.030. PERMITS REQUIRED. The activities listed in sec. 40 of this chapter are permitted only in accordance with the terms of a nontransferable permit that may be issued at the discretion of the commissioner. A person who makes a false statement as to any material fact relating to a permit, affidavit, or report form required by these regulations, or as prescribed by the board or department under these regulations, is guilty of a violation of these regulations.

5 AAC 81.040. PERMITS ISSUED BY THE DEPARTMENT. The following permits may be issued by the Department for:

- (1) exporting raw skins of wild fur animals;
- (2) taking, holding, importing or releasing any live game;
- (3) selling skins or trophies in compliance with provisions of 5 AAC 81.200(3);
- (4) hunting black bear with dogs or bait;
- (5) taking any species of game for scientific, educational, exhibition, propagation, or other purposes when regulations otherwise prohibit their taking;
- (6) taking game in special permit hunts under ch. 81 of this title;
- (7) access to the McNeil River State Game Sanctuary. Application for permits shall be made to the Alaska Department of Fish and Game, Game Division, 333 Raspberry Road, Anchorage, Alaska 99502;
- (8) access to Round Island and the adjacent waters within 1/2 mile of Round Island in the Valrus Island State Game Sanctuary (Bristol Bay - Unit 17). Applications for permits shall be made to the Alaska Department of Fish and Game, Game Division, Box 129, Dillingham, Alaska 99576;
- (9) game bird shooting preserve permits;
- (10) taking, holding and possession of raptors for the purpose of falconry, under provisions established by the commissioner. Copies of permit conditions are available upon request from the Department. For the purpose of this paragraph, "Raptor" means any bird of the following species: goshawk (*Accipiter gentilis*), sharp-shinned hawk (*Accipiter striatus*), gyrfalcon (*Falco rusticolis*), American kestrel (*Falco sparverius*), merlin (*Falco columbarus*) and red-tailed or Harlan's hawk (*Buteo jamaicensis*);
- (11) salvage of muskoxen stranded on drifting sea ice. Permits are subject to the following conditions:

(A) The Department will, in its discretion, issue permits upon request only to Village Council Presidents of Mekoryuk, Tununak and Toksook Bay.

(B) Permittee may authorize persons from that village to take muskoxen stranded on sea ice, provided:

- (i) animals are on drifting (not land-fast) sea ice with no probability of returning to land,
- (ii) animals so taken are salvaged, and meat, heads and hides are returned to the village and turned over to the Village Council for disposal to satisfy subsistence needs within the village.

*For full text of these regulations, see booklet, "Miscellaneous Game Regulations."

PERMITS AND REPORTS

(C) Permittee shall notify the nearest office of Game Division, Alaska Department of Fish and Game, of each taking as soon as practicable after the taking, and shall, in addition, submit an annual written report of all animals taken under this permit;

(D) The lower jaw of each animal taken shall be salvaged and presented to a representative of the Department.

5 AAC 81.055. PERMIT HUNTS.

(a) The following conditions apply to all permit hunts:

- (1) incorrect permit applications are void;
- (2) duplicate permit applications for any hunt are void;
- (3) permits must be in the possession of the hunter while hunting;
- (4) permit issuance:

(A) permits shall be issued in the order applications are received or on a lottery basis;

(B) successful applicants must obtain their permits and appropriate licenses and big game tags within a specified time period;

(C) unless otherwise provided, when a drawing is undersubscribed, surplus permits become void and will not be allocated;

(5) permits are nontransferable;

(6) immediately upon killing a big game animal for which a permit is required, the hunter shall cancel his permit by completely removing from the permit the day and month on which the kill was made without obliterating or destroying any other day or month printed on the permit.

(b) The following conditions, at the commissioner's discretion, may apply to the conduct of all permit hunts; the commissioner may, however, waive any of the requirements of this section that are not necessary to the management of the species hunted.

(1) a hunter shall register at designated stations before entering the field, and again upon leaving;

(2) a hunter shall demonstrate:

- (a) ability to identify the species hunted;
- (b) ability to identify the area involved;
- (c) knowledge of weapon safety and use;

(3) a hunter may be required to attend an orientation course;

(4) a portable radio must be in the hunter's possession while in the field;

(5) a hunter who is successful in taking an animal for which a permit is issued must present specified biological specimens to a check station or nearest department office within a specified time;

(6) a hunter is required to be accompanied by a department representative;

(7) the department may restrict the number of permittees hunting during any time period, and may allocate the permittees to specified subdivisions within the area being hunted;

(8) the use of mechanized vehicles for hunting big game and transporting of meat from the hunting area may be restricted;

(9) permittees who cancel their hunts are required to notify the department at designated offices and within a specified time;

(10) the department shall, in its discretion, establish minimum ballistic specifications for weapons used and the type of weapons which may be used in permit hunts;

(11) before the issuance of a permit, the department may require that the permittee sign an acknowledgement indicating that he has read and understands and that he agrees to abide by the conditions specified for that hunt;

(12) the department shall, in its discretion, designate the hours of each day(s) during which hunting may occur;

(13) applicants for a permit must be at least 10 years old;

(14) duplicate permit applications for any species are void;

(15) the department shall, in its discretion, require that all permittees submit, within a specified time period, information on the hunt on a form supplied by the department;

(16) any individual applying for any permit hunt must be a licensed hunter, except residents 15 years of age and younger; the number of the applicant's valid hunting license must be entered on the permit application; residents 15 years of age and younger must enter their age in place of a license number;

(c) The following conditions apply, in addition to those of (a) and (b) of this section, only to specific referenced permit hunts:

(1) permits for hunting Dall sheep in the Tok Management Area shall be issued on the basis of 10 percent to nonresident hunters and 90 percent to resident hunters; any nonresident permits not applied for will be available to residents;

(2)(A) permits for hunting brown bear in Unit 8 will be issued on the basis of a maximum of 40 percent to nonresident hunters and a minimum of 60 percent to resident hunters;

(B) applications by nonresidents accompanied by resident relatives within the second degree of kindred shall be entered in the resident drawing. For each season a maximum of four permits for nonresident hunters accompanied by resident relatives within the second degree of kindred may be issued, providing that not more than one such permit shall be issued per individual hunt in each calendar year.

(3) subsistence permits for hunting caribou in Unit 13 will be issued under the following conditions:

(A) nonresidents of Alaska are ineligible to apply for or receive permits;

(B) bag limit per permit is one caribou;

(C) 450 subsistence permits will be available;

(D) during the January 1 - March 31 season, permits are valid only for that portion of Unit 13 which excludes subunit 13(B) and that portion of subunit 13(A) within one-half mile of the Trans-Alaska Pipeline;

(E) to qualify for a subsistence hunting permit for caribou in Unit 13, a person must submit an application, on a form provided by the Department, on which he attests to the following:

(i) the applicant is or will be at least 12 years old by August 20 of the year in which the application is made;

(ii) the applicant is a rural resident of Alaska, who at the time of application maintains his principal place of abode within Game Management Unit 13 and maintains no permanent abode elsewhere;

(iii) the applicant lives in a household in which fish and game not commercially purchased or taken has comprised more than one-half of the meat and fish of the diet of that household;

(F) subsistence permits not issued in the general drawing will be issued on a registration basis at Department offices within Unit 13 beginning November 1, but only to persons qualifying under (E) of this section. The number of registration subsistence permits will not exceed the number of subsistence permits undersubscribed by drawing.

(4) permits for hunting caribou in Units 22(A), 22(B), 23, 24 and 26(A) will be issued under the following conditions:

(A) a person may initially obtain a permit only after filling a bag limit of five caribou and providing information on a Department form showing number of caribou taken, date of kill and location of kill;

(B) permits issued in (A) above will allow a harvest of five caribou for each permit;

(C) successive permits, each allowing the take of an additional five caribou, may be issued to a person who has taken five caribou under an existing permit and who returns this permit to the Department with the harvest information completed.

5 AAC 81.060. REPORTS REQUIRED. (a) A report of activities authorized by permits in sec. 40 of this chapter shall be made in accordance with instruction on the permit and submitted to the commissioner before or upon the expiration of the permit.

(b) A written report detailing the circumstances of the taking of game in defense of life or property shall be made to the department within 15 days after the taking of game for this reason.

(c) The purchase or acquisition through consignment or barter of furs or hides of game shall be reported to the department on forms provided for this purpose, within 30 days of the close of each calendar month in which such business is transacted.

(d) When a report of harvest information is required under sec. 55 of this chapter, a permittee who fails to supply the required report may not be issued any drawing hunt permit during the following regulatory year; a permittee aggrieved by this section shall be granted a hearing before the commissioner or his designee if the permittee makes such a request in writing to the commissioner within 90 days after the conclusion of the permit hunt for which he has failed to provide a report.

**HUNTING SEASONS AND BAG LIMITS (Continued)
BROWN BEAR (Continued)***

Species and Units	Open Seasons	Bag Limits
Remainder of Unit 9(D)	No open season	
Unit 10 (Unimak Is. only)	Oct. 1-Oct. 21 May 10-May 25	One bear every four regulatory years by drawing permit only; however the taking of cubs or females accompanied by cubs is prohibited. See 5 AAC 81.055 and separate drawing permit hunt supplement.
Unit 11	Sept. 1-Oct. 31 Apr. 25-May 25	
Unit 12	Sept. 1-June 10	One bear; however the taking of cubs or females accompanied by cubs is prohibited. Bears taken in these units are not to count against the one bear every 4 years bag limit in other units; statewide bag limits shall not exceed 1 bear annually.
Unit 13	Sept. 1 - May 31	
Unit 14(A) and 14(C), except that portion of 14(C) in Chugach State Park.	Sept. 1-Oct. 10	One bear every four regulatory years; however the taking of cubs or females accompanied by cubs is prohibited.
Unit 14(B)	Sept. 1-Oct. 31 May 10-May 25	
Unit 14(C) in Chugach State Park.	No open season	
Unit 15	Sept. 1-Oct. 10 May 10-May 25	One bear every four regulatory years; however the taking of cubs or females accompanied by cubs is prohibited.
Unit 16	Sept. 1 - Oct. 31 May 10 - May 25	
Unit 17	Oct. 7-Oct. 21 May 10-May 25	
Unit 18, 19(A), 19(C) and 19(D)	Sept. 10-Oct. 10 May 10-May 25	

* See bear sealing requirements, page 18.

HUNTING SEASONS AND BAG LIMITS (Continued)
CARIBOU (Continued)

Species and Units	Open Seasons	Bag Limits
Units 13 and 14, except 14(C)	Residents: Aug. 20 - Sept. 20 Jan. 1 - Mar. 31	One caribou by permit only; however only antlerless caribou may be taken between Jan. 1 and Mar. 31. 1750 permits will be issued by drawing, including 450 subsistence permits. Subsistence permits not allocated in the drawing may be issued on a first-come, first-served basis to persons meeting the hunt requirements, beginning Nov. 1. The number of registration subsistence permits shall not exceed the number of subsistence permits undersubscribed by drawing. See 5 AAC 81.055 and separate drawing and registration permit hunt supplement.
	Nonresidents: No open season	
Unit 14(C)	No open season	
Unit 15	No open season	
Unit 16	Aug. 10-Oct. 31	One caribou
Unit 18, that portion south of Yukon River	Feb. 1-Feb. 28	One caribou
Remainder of Unit 18	Feb. 1-Mar. 31	One caribou
Unit 19(A)	Aug. 10-Sept. 30 Nov. 1-Feb. 28	Two caribou
Unit 19(B)	Aug. 10-Mar. 31	Two caribou; however no more than one may be taken per day, nor may more than one caribou be taken from Aug. 10 - Oct. 31.
Unit 19(C)	Aug. 10-Oct. 31	One caribou
Unit 19(D), that portion south and east of the Kuskokwim River	Aug. 10-Sept. 30 Nov. 1-Jan. 31	One caribou
Remainder of Unit 19(D) and Unit 21	Aug. 10-Sept. 30	One caribou

HUNTING SEASONS AND BAG LIMITS (Continued)
MOUNTAIN GOAT (Continued)

Species and Units	Open Seasons	Bag Limits
Unit 1 (C), that portion draining into Lynn Canal, Stephens Passage and Taku Inlet between Antler River and Taku Glacier	Oct. 1 - Nov. 30	One goat by registration permit only. See 5 AAC 81.055 and separate registration permit hunt supplement.
Remainder of Unit 1(C)	Aug. 1 - Nov. 30	
Unit 1(D), that portion east of Taiya Inlet and River between Chilkoot Trail and White Pass and Yukon Railroad	Oct. 1 - Oct. 15	
Unit 1(D), that portion lying north of the Katzehin River and east of the Haines Highway	Sept. 15 - Nov. 30	
Remainder of Unit 1(D) and Units 4 and 5	Aug. 1 - Dec. 31	
Unit 6(B) and that portion of Unit 6(A) lying west of Seal River and Bering Glacier	Sept. 1 - Dec. 31	One goat by drawing permit only; 350 permits will be issued. See 5 AAC 81.055 and separate drawing permit hunt supplement.
Unit 6(D), that portion of the mainland between Cape Fairfield and Tiger Glacier and Units 7 and 15	Aug. 10 - Sept. 30	
	Oct. 15 - Nov. 30	One goat by registration permit only. See 5 AAC 81.055 and separate registration permit hunt supplement.
Remainder of Unit 6	Aug. 1 - Jan. 31	One goat by registration permit only. See 5 AAC 81.055 and separate registration permit hunt supplement.
Unit 8	Sept. 1-Oct. 31	One goat by drawing permit only; 57 permits will be issued. See 5 AAC 81.055 and separate drawing permit hunt supplement.
Unit 11	Sept. 1-Dec. 31	One goat by registration permit only. See 5 AAC 81.055 and separate registration permit hunt supplement.
Units 12 and 13	No open season	
Unit 14 (except that portion of Unit 14(C) within Chugach State Park)	Aug. 10 - Nov. 30	One goat by drawing permit only; 100 permits will be issued. See 5 AAC 81.055 and separate drawing permit hunt supplement.

HUNTING SEASONS AND BAG LIMITS (Continued)
MOOSE (Continued)

Species and Units	Open Seasons	Bag Limits
Unit 6(C)	Sept. 6 - Sept. 15**	One bull moose by registration permit. See 5 AAC 81.055 and separate registration permit hunt supplement.
Unit 6(D)	Sept. 1-Sept. 30	One bull
Unit 7, that portion drained by Resurrection Creek downstream from Rimrock and Highland Creek (including Palmer Creek)	No open season	
Unit 7, the Placer River drainages and that portion of Placer Creek (Bear Valley) outside the Portage Glacier closed area and Unit 14(C) within the Twentymile River drainages	Sept. 1-Sept. 20	One moose by drawing permit only; 30 permits for antlered moose and 15 permits for antlerless moose will be issued. See 5 AAC 81.055 and separate drawing permit hunt supplement.
Remainder of Unit 7	Sept. 1-Sept. 10	One bull
Unit 8	No open season	
Unit 9(A)	Sept. 5-Sept. 25	One bull
Unit 9(B) and 9(C), except the drainage of the Naknek River	Sept. 5-Sept. 25 Dec. 1-Dec. 31	One moose; however antlerless moose may be taken only from Dec. 1 - Dec. 31.
Unit 9(C), that portion draining into the Naknek River	Sept. 5 - Sept. 25 Dec. 1 - Dec. 31**	One moose; however antlerless moose may be taken by registration permit only. Permits are valid from Dec. 1 - Dec. 31. See 5 AAC 81.055 and separate registration permit hunt supplement.
Unit 9(D)	No open season	
Unit 9(E)	Sept. 10-Sept. 20 Dec. 1-Dec. 31	One moose; however antlered moose must have an antler spread of at least 50 inches or three brow tines on one of the antlers and antlerless moose may be taken only from Dec. 1 - Dec. 31.
Unit 11	Sept. 1-Sept. 20	One bull
Unit 12	Sept. 1 - Sept. 20	One bull
Unit 13	Sept. 1-Sept. 20	One bull having an antler spread of at least 36 inches or at least three brow tines on at least one of the antlers

**Season subject to closure by Emergency Order.

HUNTING SEASONS AND BAG LIMITS (Continued)
SHEEP

Species and Units	Open Seasons	Bag Limits
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(11) SHEEP, MOUNTAIN OR DALL

Units 6, 7, 9, 11, 14(B), 15, 16, 17 and 19	Aug. 10-Sept. 20	One ram with 7/8 curl horn or larger.
Units 12, 13 and 20, that portion known as the Tok Management Area (5 AAC 81.238, Management Areas)	Aug. 10 - Sept. 20	One ram with full (4/4) curl horn or larger, every four regulatory years, by drawing permit only. 120 permits will be issued. See 5 AAC 81.055 and separate permit hunt supplement.
	Sept. 25-Oct. 30	One ewe sheep by registration permit only; 20 ewe sheep may be taken. See 5 AAC 81.055 and separate registration permit hunt supplement.
Remainder of Units 12, 13 and 20 (except that portion known as the Delta Controlled Use Area and the Glacier Mountain Controlled Use Area)	Aug. 10-Sept. 20	One ram with 7/8-curl horn or larger.
Units 13 and 20, that portion known as the Delta Controlled Use Area (see 81.237, Controlled Use Areas)	Aug. 10-Sept. 20	One ram with 7/8 curl horn or larger, by drawing permit only. 150 permits will be issued; however only 75 permits will be issued for the period Aug. 10 -Aug. 25, and only 75 permits will be issued for the period Aug. 26 - Sept. 20. See 5 AAC 81.055 and separate drawing permit hunt supplement.
Unit 14(A)	Aug. 10-Sept. 20	One sheep; rams must have 7/8 curl horn or larger and ewes may be taken only by drawing permit. 10 ewe sheep permits will be issued. See 5 AAC 81.055 and separate drawing permit hunt supplement.
Unit 14(C)	Day after Labor Day-Sept. 30	One ram with 7/8 curl horn or larger by drawing permit only. 120 permits will be issued; however only 60 permits will be issued for the period Day after Labor Day — Sept. 18 and only 60 permits for the period Sept. 19 -Sept. 30. See 5 AAC 81.055 and separate permit hunt supplement.

HUNTING SEASONS AND BAG LIMITS (Continued)
BIG GAME HUNTING (Continued)

Species and Units	Open Seasons	Bag Limits
-------------------	--------------	------------

(12) WOLF

Refer to fur animal hunting, seasons and bag limits.

(13) WOLVERINE

Refer to fur animal hunting, seasons and bag limits.

FUR ANIMAL HUNTING

Species and Units	Open Seasons	Bag Limits
-------------------	--------------	------------

5 AAC 81.330. FUR ANIMAL HUNTING. Following are the seasons and bag limits for fur animals, and the units or portions of units to which they apply:

(Note: shooting of fur animals for which there is no open hunting season may be allowed under trapping regulations. Consult Trapping Regulations 5 AAC 84.060.)

(1) BEAVER

Units 1 through 26	No open hunting season
--------------------	------------------------

(2) COYOTE

Units 1 through 26 except that portion of Unit 14(C) in Chugach State Park	Sept. 1-Apr. 30	Two coyotes
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Unit 14(C) in Chugach State Park	Day after Labor Day-Apr. 30	Two coyotes
----------------------------------	-----------------------------	-------------

(3) FOX, ARCTIC

(Including white or blue color phases)

Unit 10	No closed season	No limit
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Units 9 and 17	Dec. 1-Mar. 15	No limit
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Units 18, 22, 23 and 26	Sept. 1-Apr. 30	Two foxes
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Species and Units	Open Seasons	Bag Limits
-------------------	--------------	------------

(4) FOX, RED*(Including cross, black or silver color phases)*

Units 1 through 26, except 21(D) and that portion of Unit 14(C) in Chugach State Park	Sept. 1-Feb. 15	Two foxes
Unit 14(C) in Chugach State Park	Day after Labor Day-Feb. 15	Two foxes
Unit 21(D)	Nov. 1-Feb. 15	Two foxes

(5) LYNX*

Units 1 through 26 except that portion of Unit 14(C) in Chugach State Park	Sept. 1-Mar. 31	Two lynx
Unit 14(C) in Chugach State Park	Day after Labor Day-Mar. 31	Two lynx

* See lynx sealing requirements, page 18.

(6) MARMOT

Units 1 through 26	No open hunting season
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(7) MARTEN

Units 1 through 26	No open hunting season
--------------------	------------------------

(8) MINK AND WEASEL

Units 1 through 26	No open hunting season
--------------------	------------------------

(9) MUSKRAT

Units 1 through 26	No open hunting season
--------------------	------------------------

(10) OTTER, LAND

Units 1 through 26	No open hunting season
--------------------	------------------------

HUNTING SEASONS AND BAG LIMITS - FUR ANIMAL HUNTING (Continued)

Species and Units	Open Seasons	Bag Limits
(12) RACCOON		
Units 1 through 26	No closed season	No limit
(13) SQUIRREL (flying, parka or ground)		
Units 1 through 26	No open hunting season	
(14) SQUIRREL (red)		
Units 1 through 26 except that portion of Unit 14(C) in Chugach State Park	No closed season	No limit
Unit 14(C) in Chugach State Park	No open hunting season	
(15) WOLF*		
Units 1 through 5	No closed season	No limit
Units 6 through 11	Aug. 10-Apr. 30	Two wolves
Units 12, 13 and 19 through 26.	Aug. 10-Apr. 30	No limit
Unit 14 (other than Chugach State Park) and Units 15 through 18	Aug. 10-Apr. 30	Four wolves
Unit 14(C) in Chugach State Park	No open season	
(16) WOLVERINE*		
Units 1 through 5	Nov. 10-Feb. 15	One wolverine
Units 6 through 26 except for that portion of Unit 14(C) in Chugach State Park	Sept. 1-Mar. 31	One wolverine
Unit 14(C) in Chugach State Park	No open season	

*Wolves and wolverine are classified as both big game and as fur bearers. The Alaska Hunting Regulations apply if they are taken under a hunting license (see 5 AAC 81.072, 81.075 and 81.330); the Alaska Trapping Regulations apply if they are taken under a trapping license (see 5 AAC 84.060 and 84.270).

* See wolf and wolverine sealing requirements, page 18.

HUNTING SEASONS AND BAG LIMITS

Species and Units	Open Seasons	Bag Limits	Possession Limit
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5 AAC 81.340. SMALL GAME HUNTING. Following are the seasons and bag limits on small game, and the units or portions of units to which they apply:

(1) GROUSE

(Spruce, blue, ruffed and sharptail)

Units 1, 2, 4, 5, 6	Aug. 1-May 15	Five a day	10
Unit 3, Mitkof Island only, within ¼ mile of the Highway System	Sept. 1-May 15	Five a day	10
Remainder of Unit 3	Aug. 1-May 15	Five a day	10
Units 7, 9, 11, 13 through 19, and 21 through 26 except for Unit 14(C) and 25(C).	Aug. 10-Apr. 30	Fifteen a day	30
Units 12, 20 and 25(C)	Aug. 10-Mar. 31	Fifteen a day	30
Unit 14(C)	Day after Labor Day-Apr. 30	Five a day	15
Unit 8	No open season		

(2) HARE AND RABBIT

(snowshoe and arctic)

Units 1 through 5	Sept. 1-Apr. 30	Five a day	
Units 6 through 26 except for Unit 14(C)	No closed season	No limit	
Unit 14(C)	Day after Labor Day-Apr. 30	Five a day	

(3) PTARMIGAN

(willow, rock or whittetail)

Units 1 through 6	Aug. 1-May 15	Twenty a day	40
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HUNTING SEASONS AND BAG LIMITS -- SMALL GAME HUNTING (Continued)

Species and Units	Open Seasons	Bag Limits	Possession Limit
-------------------	--------------	------------	------------------

Units 7 through 19, and 21 through 26, except for Units 14(A), 14(C) and 25(C).	Aug. 10-Apr. 30	Twenty a day	40
Unit 14(A)	Aug. 10-Apr. 30	Ten a day	20
Unit 14(C)	Day after Labor Day-Apr. 30	Ten a day	20
Units 20 and 25(C), those portions within five miles of AK Route 6 (Steesse Hwy.), and AK Route 5 (Taylor Hwy. both to Eagle and the Alaska-Canada boundary).	Aug. 10-Mar. 31	Twenty a day	40
Remainder of Units 20 & 25(C)	Aug. 10-Apr. 30	Twenty a day	40

WATERFOWL (including snipe and cranes) HUNTING. Following are the seasons and bag limits on waterfowl and the units and portions of units to which they apply:

(4) WATERFOWL

(a) Ducks

(Except sea ducks)

Units 1-4	Sept. 1-Dec. 16	Seven a day	21
Units 5-7, 9, 14-16 and 10 (Unimak Is. only).	Sept. 1-Dec. 16	Eight a day	24
Units 8 and 10 (except Unimak Island)	Oct. 8-Jan. 22	Seven a day	21
Units 11-13 and 17-26	Sept. 1-Dec. 16	Ten a day	30

(b) Sea Ducks (eiders, scoters, old squaw, harlequin) and Mergansers

Units 1-7, 9, 10 (Unimak Island only) and 11-26.	Sept. 1-Dec. 16	Fifteen a day	30
Units 8 and 10 (except Unimak Island)	Oct. 8-Jan. 22	Fifteen a day	30

Species and Units	Open Seasons	Bag Limits	Possession Limit
-------------------	--------------	------------	------------------

(c) Geese**(Except Emperors)**

Units 1-7, 9, 10 (Unimak Island only) and 11-26	Sept. 1-Dec. 16	Six a day*, **	12*, **
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Units 8 and 10 (except Unimak Island)	Oct. 8-Jan. 22	Six a day*, ***	12*, ***
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*However not more than four daily, eight in possession may be Canada or whitefronted geese or any combination thereof, except in Game Management Units 1-9 (except 9(E)) and 14-16, no more than one whitefronted goose in the daily bag and 2 in possession shall be allowed, and in Unit 9(E) the daily bag and possession limit shall be 1 and 2, respectively, Canada and/or whitefronted geese.

**However Unit 1(C) is closed to the taking of snow geese.

***The taking of Canada geese in Game Management Unit 10, except on Unimak Island, is prohibited.

(d) Brant

Units 1-7, 9, 10 (Unimak Island only), and 11-26	Sept. 1-Dec. 16	Four a day	8
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Units 8 and 10 (except Unimak Island)	Oct. 8-Jan. 22	Four a day	8
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(e) Snipe

Units 1-7, 9, 10 (Unimak Island only), and 11-26	Sept. 1-Dec. 16	Eight a day	16
--	-----------------	-------------	----

Units 8 and 10 (except Unimak Island)	Oct. 8-Jan. 22	Eight a day	16
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(f) Cranes

Units 1-7, 9, 10 (Unimak Island only), and 11-26	Sept. 1-Dec. 16	Two a day	4
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Units 8 and 10 (except Unimak Island)	Oct. 8-Jan. 22	Two a day	4
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(g) Emperor Geese

Units 1-7, 9, 10 (Unimak Island only), and 11-26	Sept. 1-Dec. 16	Six a day	12
--	-----------------	-----------	----

Units 8 and 10 (except Unimak Island)	Oct. 8-Jan. 22	Six a day	12
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Species and Units	Open Seasons	Bag Limits
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5 AAC 81.350. MARINE MAMMAL HUNTING.

Under the provisions of the Marine Mammal Protection Act of 1972, the Department of Commerce, National Marine Fisheries Service, presently has management authority for sea lions, porpoises, belukha, whales, and all species of seals. The Department of Interior, U.S. Fish and Wildlife Service, has management authority for polar bear, sea otter, and walrus. Contact the appropriate federal agency for current hunting regulations.

UNCLASSIFIED GAME HUNTING

Species and Units	Open Seasons	Bag Limits
-------------------	--------------	------------

5 AAC 81.360. UNCLASSIFIED GAME HUNTING. Following are the seasons and bag limits on unclassified game, and the units or portions of units to which they apply.

(1) BATS, SHREWS, RATS, MICE AND PORCUPINES

Units 1 through 26 except for that portion of 14(C) in Chugach State Park	No closed season	No limit
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Unit 14(C) in Chugach State Park	No open season
----------------------------------	----------------

(2) CORMORANTS*

Units 10, 17, 18, 22 and 23	No closed season	No limit
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Remainder of Alaska	No open season
---------------------	----------------

* Federal Regulations prohibit cormorant hunting except when used for food. Contact U.S. Fish and Wildlife Service for further information.

(3) CROWS

Units 1 through 26	Mar. 1-Apr. 15	Forty per day
	Sept. 1-Nov. 17	Forty per day

(4) RAVENS**

Units 1 through 26	No open season
--------------------	----------------

** Nothing in these regulations prohibits a person from taking ravens in defense of property.

(5) SNOWY OWLS*

Units 17, 18, 22, 23 and 26	No closed season when utilized for food	No limit
-----------------------------	---	----------

Remainder of Alaska	No open season
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* Federal Law prohibits hunting of snowy owls, except for food. Contact U.S. Fish and Wildlife Service for further information regarding taking, or possession of skins.

(6) MAGPIES

Units 1 through 26	No open season
--------------------	----------------



IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE

Alaska Regional Office
540 West Fifth Avenue
Anchorage, Alaska 99501

L3031 (ARO-P)

14 JAN 1983

RECEIVED

JAN 17 1983

Mr. Eric P. Yould, Executive Director
Alaska Power Authority
334 West Fifth Avenue
Anchorage, Alaska 99501

ALASKA POWER AUTHORITY

Dear Mr. Yould:

We have reviewed the proposed Susitna Project recreation plan as presented in the draft license application Exhibit E and have the following comments. Cultural resource management issue comments were addressed previously in the December 3, 1982, letter from our archeologist, Dr. Floyd Sharrock.

The recreation plan appears to be well-conceived. A diversity of recreation resource opportunities are planned with facility development in stages which will permit future modification where it is appropriate. The plan also reflects excellent coordination between its authors and appropriate public agencies and the private sector.

We support the following recommendations, many of which were shared with the EDAW, Inc., representatives at the December 1, 1982, workshops for recreation and aesthetics.

1. Before construction begins, existing river conditions from upstream of the project (perhaps the confluence of the Tyone and Susitna Rivers) to Gold Creek should be recorded on film. A high quality motion picture with narrative describing preconstruction resource conditions could be an effective interpretive tool for the visitor center(s). A permanent film record of the Devil Canyon whitewater is especially important. A film record of the project construction process and the project in operation, including a description of the recreation opportunities, should also be made and perhaps combined with the preconstruction film for use at the visitor center(s).
2. If normal operation of the Watana Dam will minimize the danger now associated with kayaking the unregulated Devil Canyon whitewater, consideration should be given to providing public access to the Susitna River below the dam prior to the completion and operation of the Devil Canyon Dam.
3. Consideration should be given to providing public access from the project transportation corridor to Portage Creek for fishing and/or kayaking.

4. Appropriate day use and/or overnight facilities should be considered for Gold Creek. These facilities could accommodate: river users coming out of the project, backpackers who enter the project area via the Devil Canyon Dam construction right-of-way, and other recreationists using the Alaska Railroad who wish to lay over in the Gold Creek area.
5. The status of the Stephan Lake-Prairie Creek corridor is presented on pages E-7-83, 84 as a lower priority resource area. The priority should be elevated to Phase One implementation as negotiations with Cook Inlet Region, Incorporated, and/or the village corporations could be lengthy. Public access to the Talkeetna River (a potential State Recreation River) via the Stephan Lake-Prairie Creek corridor is an important issue that needs to be resolved early so that public use may continue during project construction.

There is an incorrect statement in paragraph 6, page E-7-15, that should be revised. The text incorrectly states that the Susitna River has been studied for potential inclusion in the National Wild and Scenic Rivers System. A study and evaluation under the authority of the Wild and Scenic Rivers Act has never been undertaken.

Recently it came to our attention that the electrical transmission corridor between the Watana Dam and Gold Creek will now be relocated closer to the transportation corridor to facilitate maintenance. We trust that careful attention will be given to the development of appropriate mitigation measures to safeguard, as much as possible, the scenic values associated with the corridor.

My staff looks forward to continued involvement with the project and is available to answer any questions you may have concerning the above recommendations.

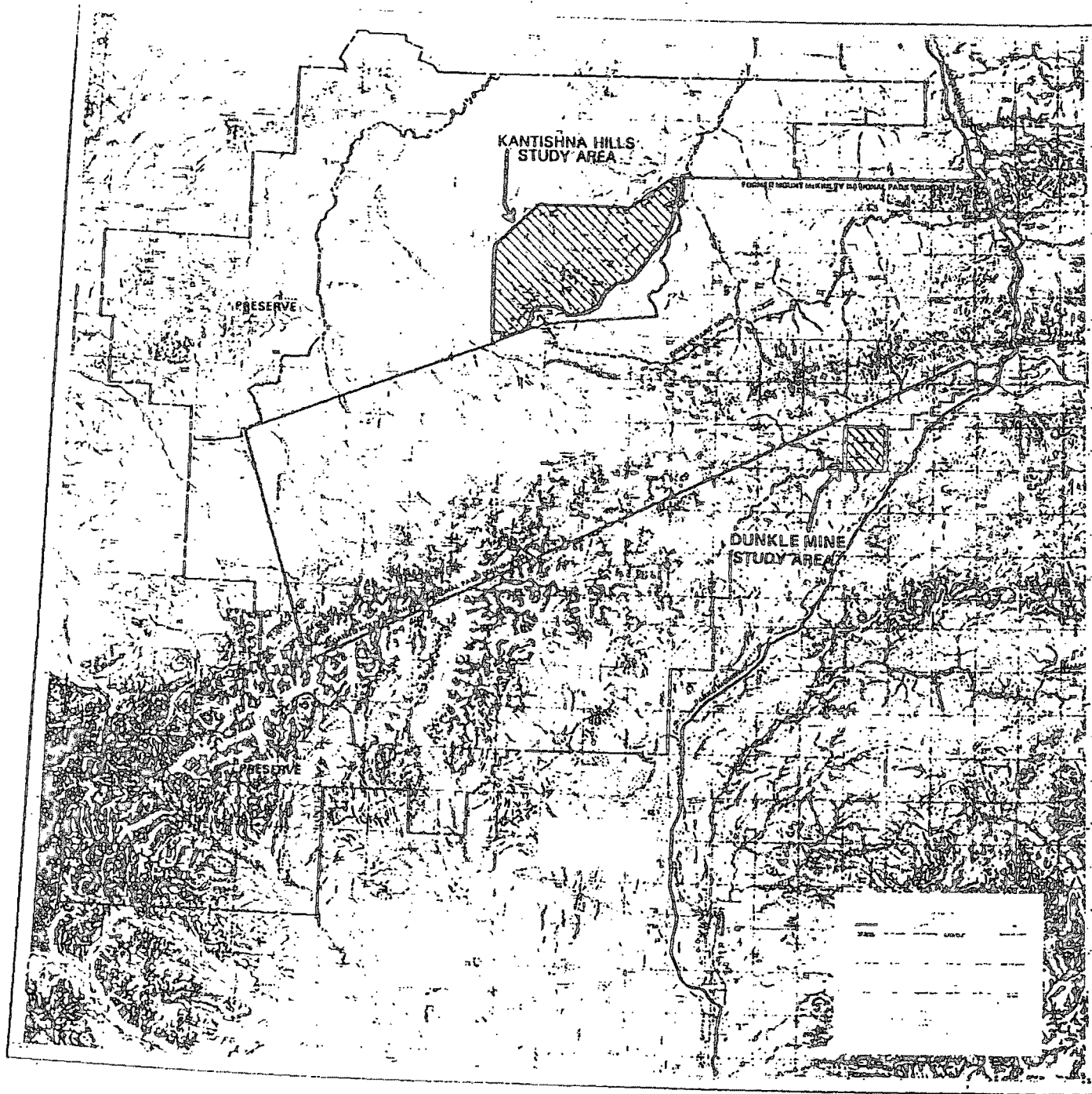
Sincerely,

Bill Hewitt

Associate Regional Director
Planning, Recreation, and Cultural Resources
Alaska Region

cc:

Jack Wiles, Division of Parks
Al Carson, Division of Research and Development
Robert Erickson, EDAW, Inc.
Bruce Bedard, Alaska Power Authority



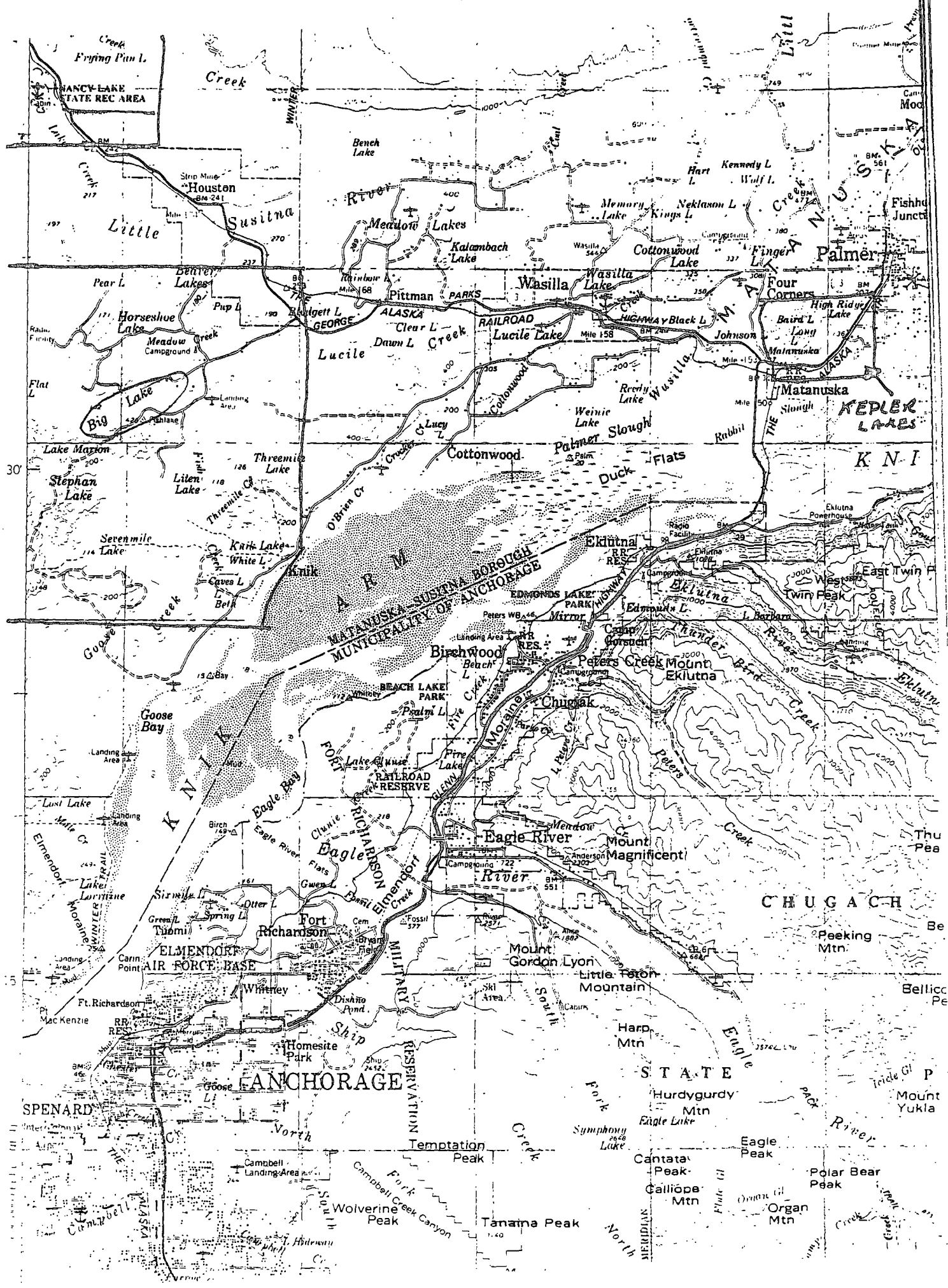
KANTISHNA HILLS/DUNKLE MINE STUDY AREAS

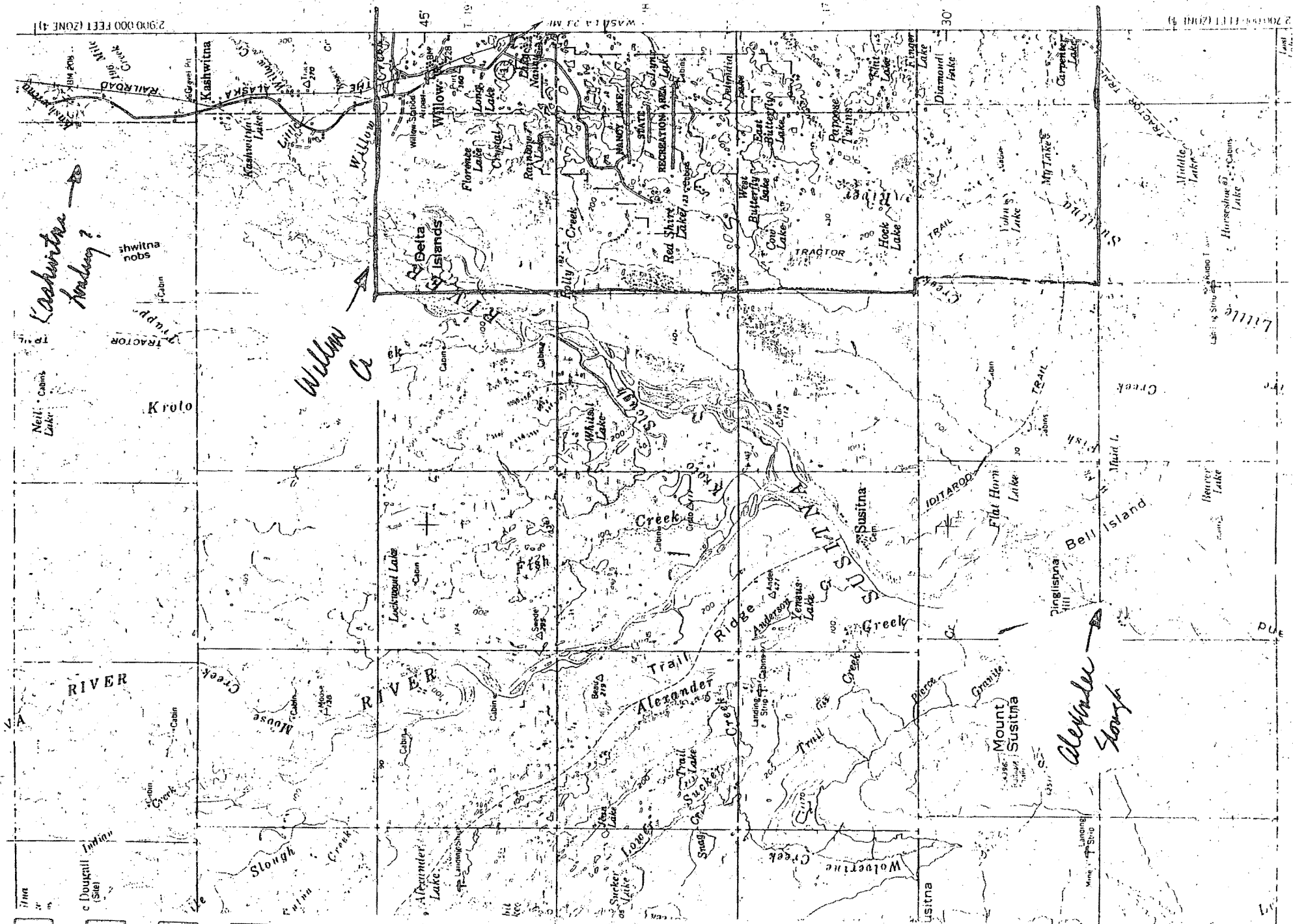
— DENALI NATIONAL PARK
AND PRESERVE BOUNDARY

▨ PL 90-407 KANTISHNA HILLS/
DUNKLE MINE STUDY AREA



KANTISHNA HILLS / CHULITNA
DENALI NATIONAL PARK AND PRESERVE
UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
104 / 30,000
DEC 1 1981



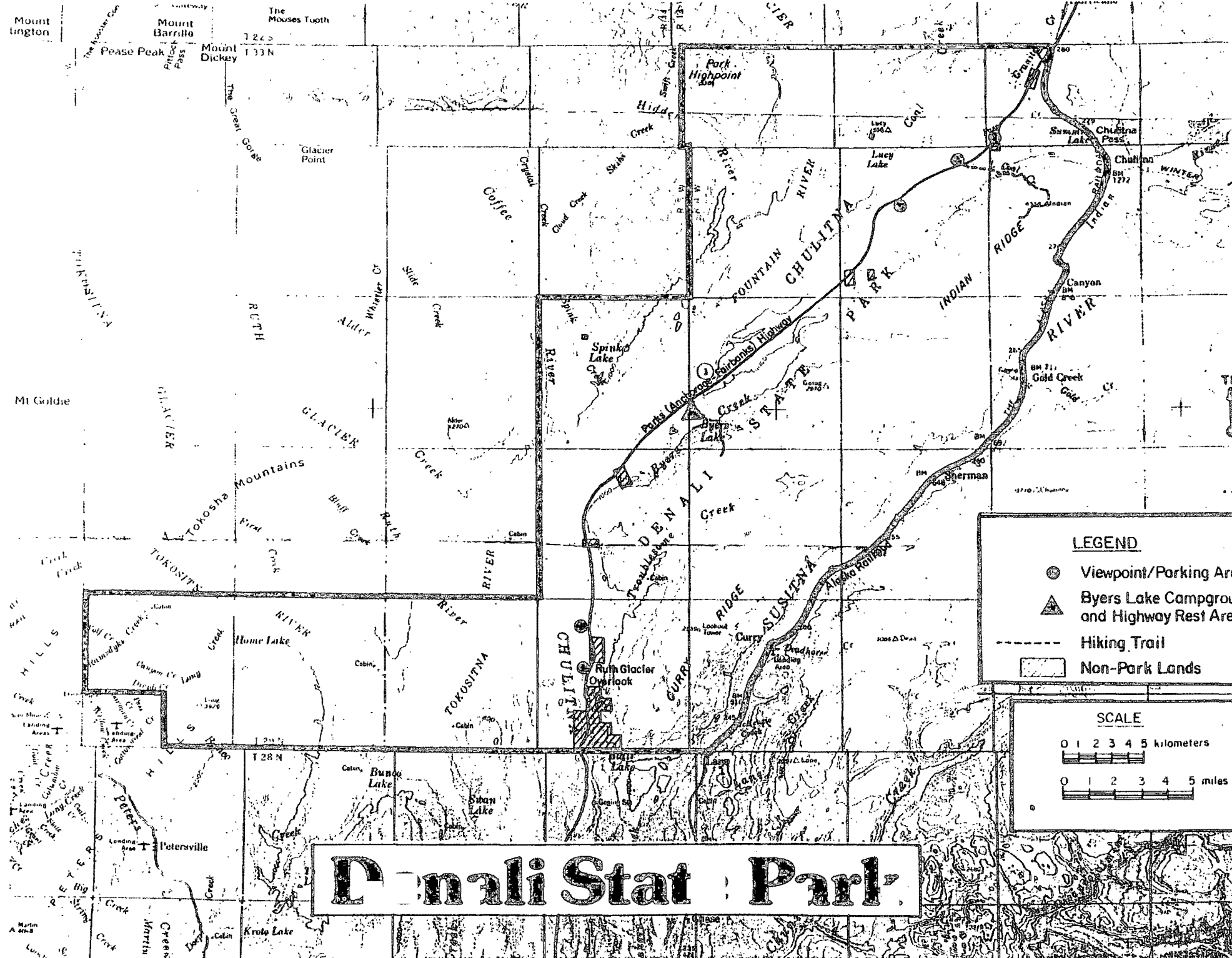


Kashwitna
Arday?

Willow Cr

Alexander
George

Bell Island



LEGEND

- Viewpoint/Parking Area
- ▲ Byers Lake Campground and Highway Rest Area
- Hiking Trail
- ▨ Non-Park Lands

SCALE



Denali State Park

ANCHORAGE

Anchorage, Alaska's largest city, blends Alaska's colorful past with its contemporary sophistication. Home to half of Alaska's population, Anchorage is situated at the base of the ever-changing Chugach Mountains, surrounded by unspoiled wilderness. Anchorage is the "air crossroads" of the world and plays host to airlines serving northern Europe, and the Orient, as well as the U.S. and Canada. Sky-scrapers now tower next to log cabins, yet the Alaskan spirit is still prevalent.

TOUR FIT-A

ANCHORAGE FREE TIME TOUR

You create your itinerary. We handle your hotel accommodations, baggage and transportation to and from the airport. Choose any of the tours in our main brochure to add to your Free Time Tour. Nights at your hotel need not be consecutive so why not join a multi-day tour as well?

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5/1/82-9/30/82

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Twins \$125 + \$5.85 tax
Extra Nights \$45 + \$2.93 tax

Single \$199 + \$9.95 tax
Extra Nights \$83 + \$4.98 tax

Triple \$110 + \$4.80 tax
Extra Nights \$40 + \$2.40 tax

TOUR A-1

ANCHORAGE CITY TOUR

Explore Alaska's largest city on our comprehensive Anchorage City Tour. Visit Government Hill, Downtown Anchorage, Captain Cook Monument and the Anchorage Historical and Fine Arts Museum. See and learn about the busy Port Facilities, The Alaska Railroad, Merrill Field, Elmendorf Air Force Base, the modern University Complex, Lakes Hood & Spenard and the devastating effects of the 1964 Good Friday Earthquake still visible at Earthquake Park.

3-HR TOUR, DAILY

Departs 8:00 AM/3:00 PM
5/1/82-9/30/82

\$14.00 Adult \$7.00 Child*

*5-11 yrs.

TOUR A-2

MATANUSKA VALLEY/ WASILLA TOUR

Visit Alaska's "Bread Basket", the famous Matanuska Valley, home of 70-pound cabbages. Enroute to this agricultural valley you will visit Eagle River, and Chugach State Park Information Center and Eklutna Indian Village and Burtal Grounds. See Pioneer Peak, Bodenburg Butte, Knik and Matanuska Rivers, Palmer and the Seismological Observatory. Visit the Wasilla Museum, the Matanuska Valley Experimental Farm, and enjoy lunch on the shore of Wasilla Lake at a local resort lodge (lunch not included).

6-HR TOUR,

Departs 8:30 AM DAILY
5/1/82-9/30/82

\$22.00 Adult \$11.00 Child*

*5-11 yrs.

TOUR A-3

ANCHORAGE VALUE SIGHTSEEING

Save by combining A-1 and A-2. Take both tours in the same day.

FULL DAY TOUR,

Departs 8:30 AM DAILY
5/1/82-9/30/82

\$32.50 Adult \$16.25 Child*

*5-11 yrs.

TOUR A-4

PORTAGE GLACIER/ TURNAGAIN ARM TOUR

Enjoy magnificent scenery on our 6-hour tour to Portage Glacier, 50 miles southeast of Anchorage. Travel along beautiful Turnagain Arm, famous for its unusual Bore Tide, to Alyeska Ski Resort. Lunch and enjoy optional activities - a Chairlift Ride to the top of the mountain, or a gold panning excursion at Crow Creek Gold Mine. Either available for an additional \$8.50 per person. Continue past the ghost town of Portage for a stunning view of Portage Glacier. View such wildlife as Bald Eagles, Mountain Goat, and Moose. Potter Marsh is a wild bird sanctuary and migratory resting place for Whistling Swans, Widgeons, Canadian Geese and Mallards.

6-HR TOUR,

Departs 11:30 AM DAILY
5/1/82-9/30/82

\$22.00 Adult \$11.00 Child*

*5-11 yrs.

TOUR A-5

ANCHORAGE VALUE TOUR

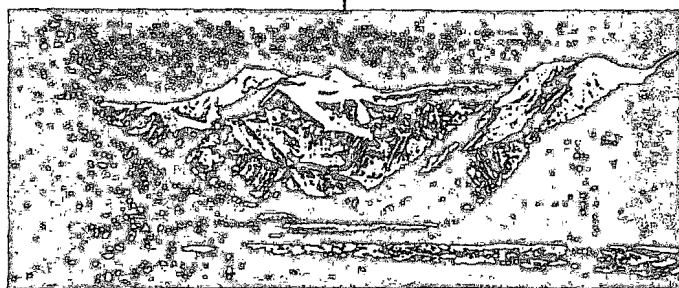
Save by combining A-1 and A-4. Take both tours in the same day.

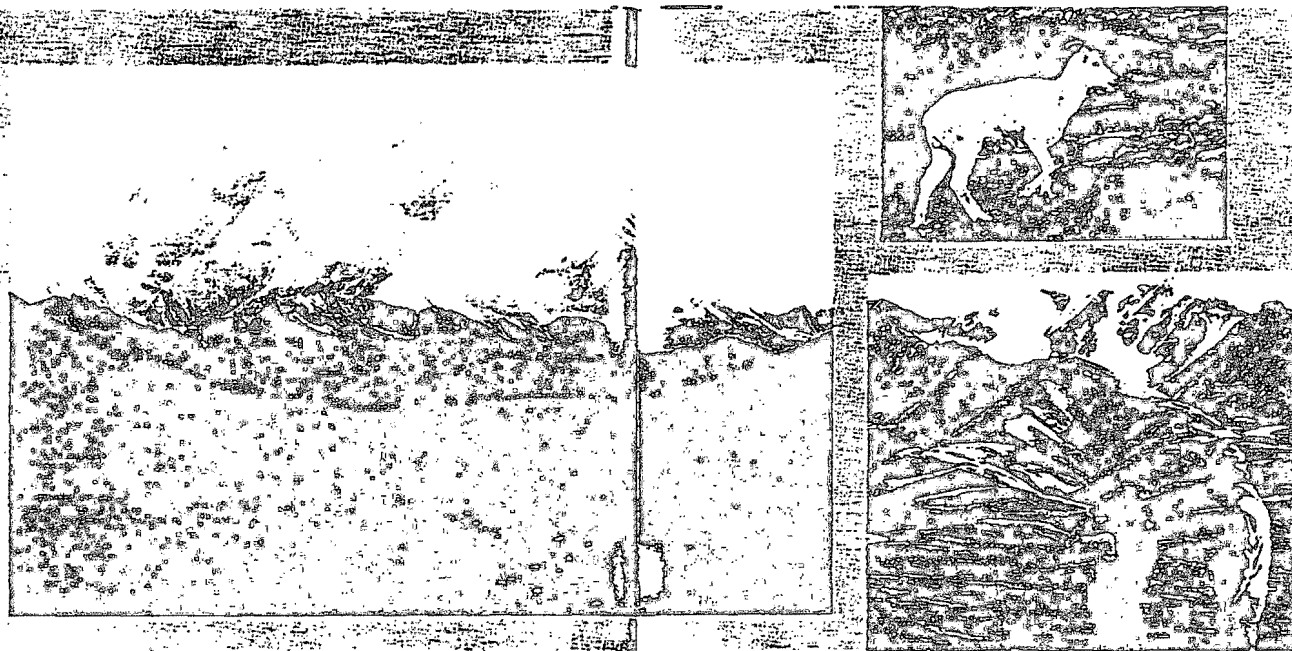
FULL DAY TOUR,

Departs 8:00 AM DAILY

\$32.50 Adult \$16.25 Child*

*5-11 yrs.





DENALI EXPLORER

(2 Days, 1 Night)

Between Anchorage and Fairbanks lies magnificent Denali National Park, home of Mt. McKinley, elevation 20,320 feet, North America's highest peak. The 3000-square-mile park is the largest protected wilderness area in the United States. Denali or "Great One" was the name given by the Indians to Mt. McKinley which towers 17,000 feet above its surroundings and is perpetually sheathed in ice and snow. Glacier-fed rivers, tundra meadows and lowland forest serve to off-set the stark white beauty of the mountain massif. Denali is home for over 37 different mammals, including moose, Dall sheep, caribou and grizzly bear. Golden eagles, jaeger, hawks and ptarmigan are among the 156 bird species found in the park.

Mt. McKinley tours include an overnight in the park and depart Anchorage or Fairbanks daily. Four itineraries are available:

1. Round trip to Denali from Anchorage.
2. Round trip to Denali from Fairbanks.
3. One-way Anchorage-Denali-Fairbanks.
4. One-way Fairbanks-Denali-Anchorage.

All tours include motorcoach transportation, park wildlife tour with box lunch, accommodations at Denali National Park based on double occupancy, and baggage handling.

DAY 1—Depart Anchorage or Fairbanks via motorcoach with experienced driver-guide at the wheel. Arrive Denali National Park in mid-afternoon. Free time to take optional float trip or a nature walk or attend one of the natural history lectures by a park ranger.

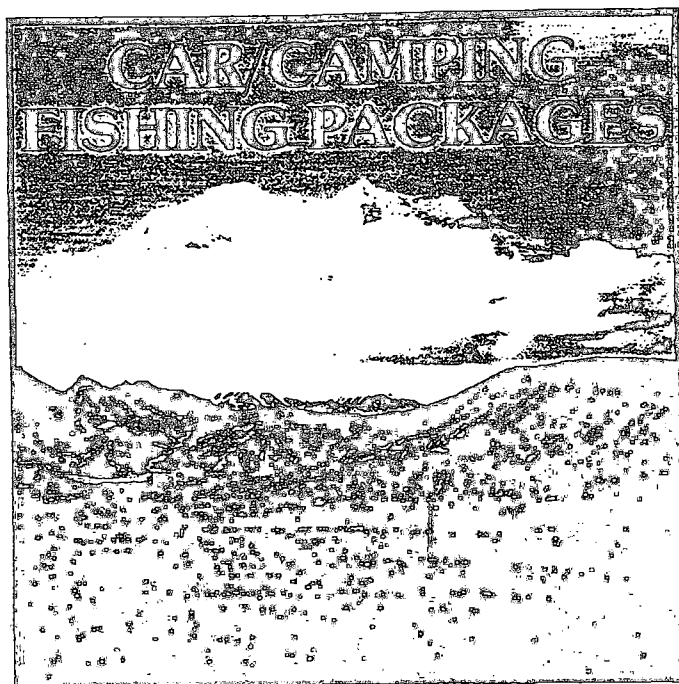
DAY 2—Rise early for wild life tour in one of nation's great game preserves. Weather-permitting, you'll get a spectacular close-up of the mighty mountain in all its rugged splendor. Wildlife abounds and even the elusive Dall Sheep will, on occasion, pose docilely to have its portrait taken. In the afternoon, you motorcoach to Anchorage or Fairbanks.

Departure: Daily, May 15 to Sept 30 from Anchorage or Fairbanks.

Fares:	Single	Twin Adult/Child*	Triple Adult/Child*
Anchorage/Denali/ Anchorage:	\$205	\$170/115	\$160/100
Anchorage/Denali/ Fairbanks:	\$185	150/100	140/ 95
Fairbanks/Denali/ Fairbanks:	\$170	135/ 90	125/ 80
Fairbanks/Denali/ Anchorage:	\$185	150/100	140/ 95

* Ages 5-11 yrs. inclusive

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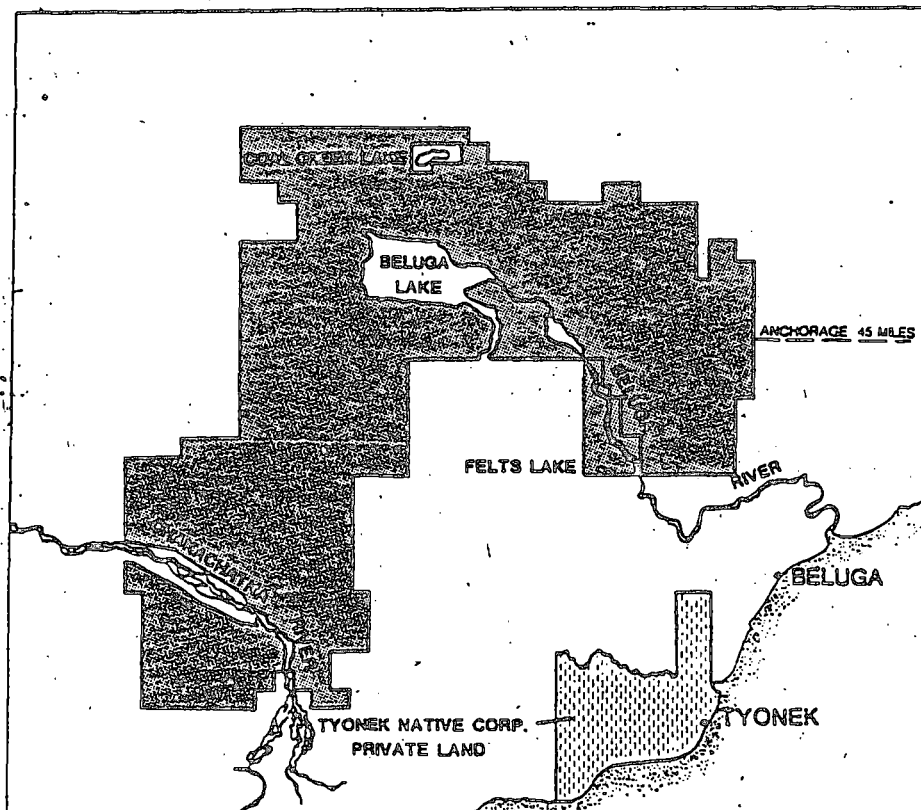
Enjoy the Park wilderness and its profusion of wildlife in an exciting and varied one-day package tour. Travel north via the ALASKA RAILROAD. Tour Denali National Park, returning to Anchorage by ALASKA AERONAUTICAL INDUSTRIES (AAI) twin turbo-jet flight. Even your lunch is included enroute on the train.

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ATTENTION BELUGA AREA RECREATIONAL USERS



COOK INLET REGION, INC. LANDS IN THE BELUGA AREA OPEN FOR PUBLIC USE

Starting May 1, 1982 Cook Inlet Region, Inc. is opening 97% of its lands in the Beluga area for public recreational use. A \$5.00 recreational use permit will be required for persons planning to use the above lands. This is a trial program and its continuance rests on the public's wise use and protection of CIRI lands.

Lands owned by the Tyonek Native Corporation are not covered under this permit program. These lands should be respected as private property.

For more information contact: Cook Inlet Region, Inc. 2525 "C" Street, Anchorage, Alaska 99503 or call 274-8638.



Division of Parks

INDEPENDENCE MINE STATE HISTORIC PARK

OPENING

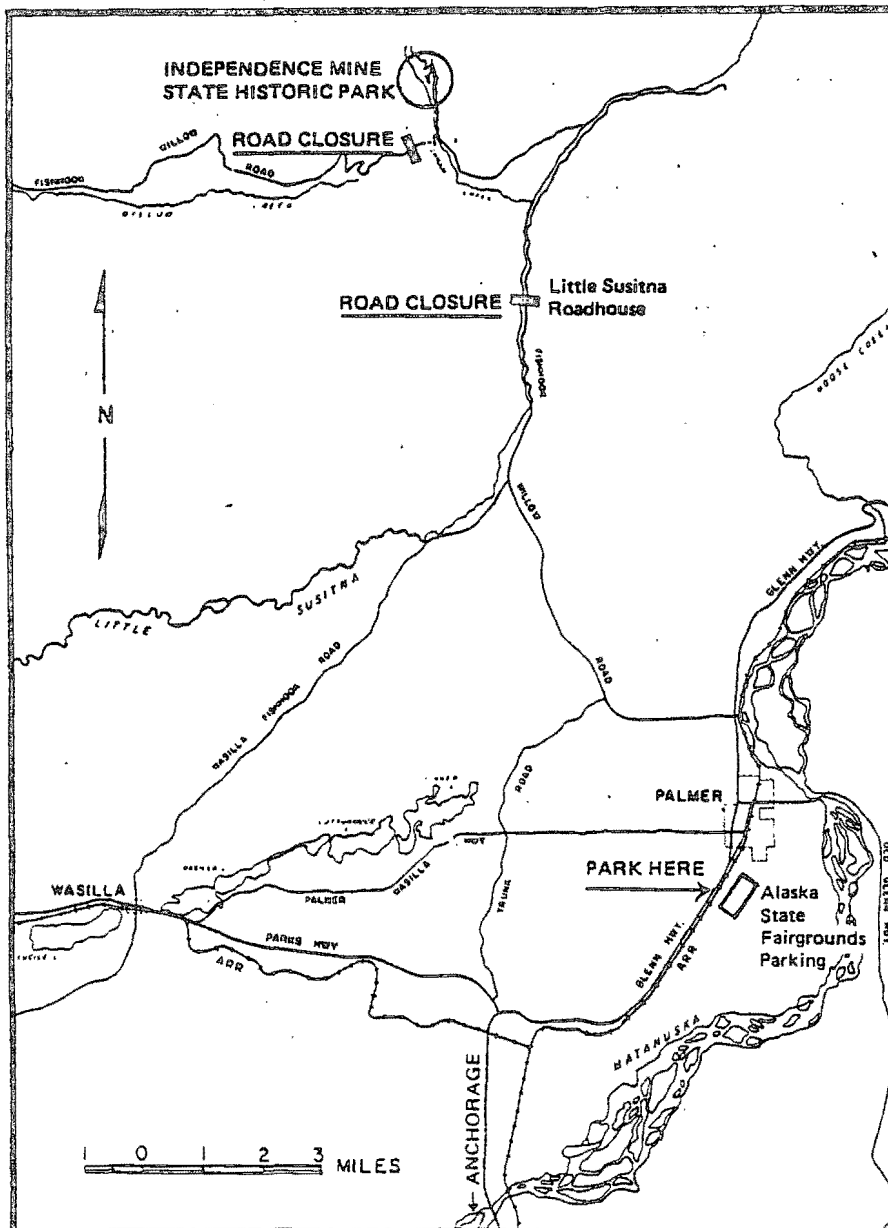
Saturday, August 21, 1982

ribbon-cutting—1:30 p.m. / park facilities open—1:30-6:00 p.m.

THE PUBLIC IS CORDIALLY INVITED

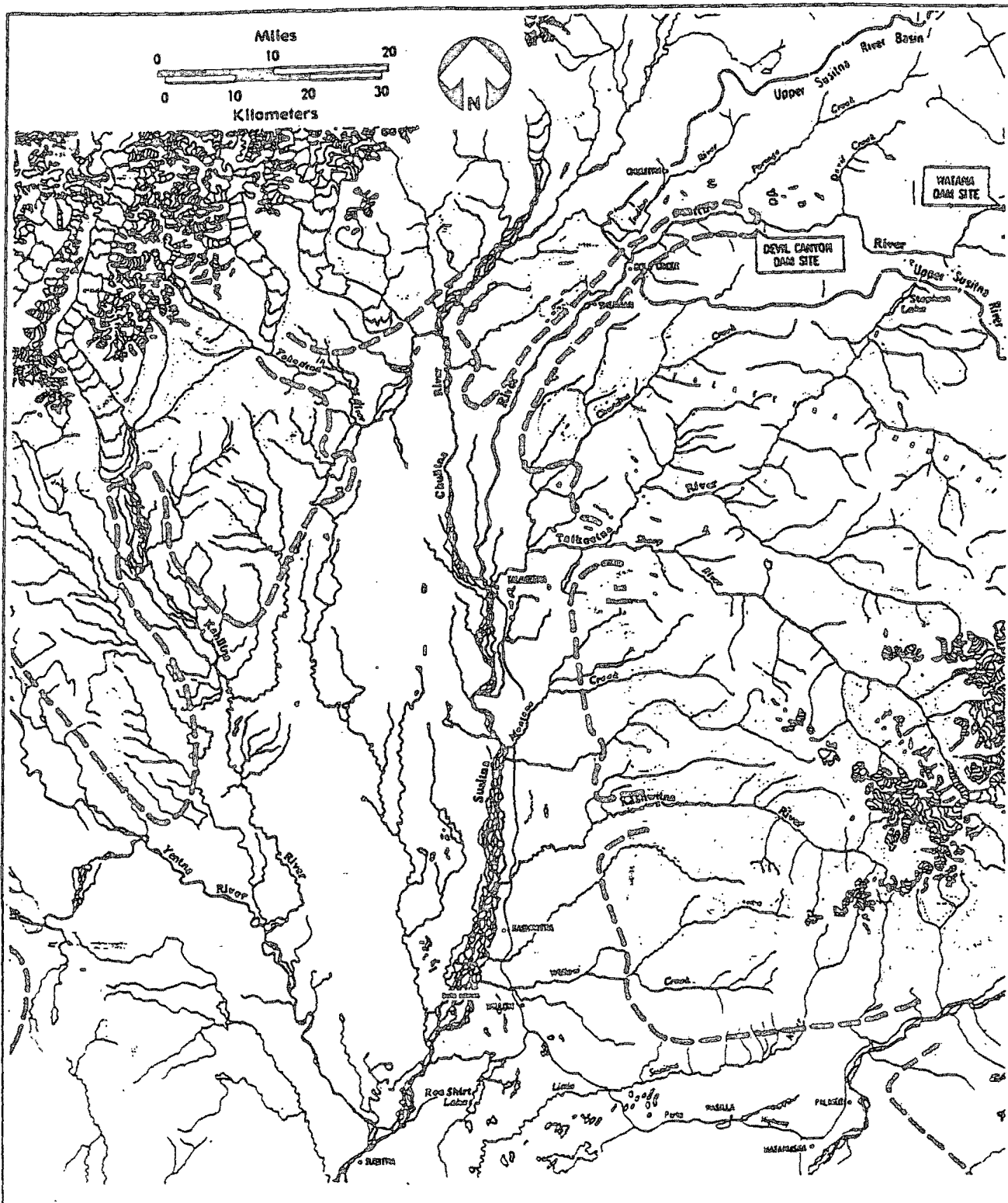
SHUTTLE BUSES

For safety purposes, roads to the area will be closed, and no private vehicles will be allowed. Transportation will be provided by shuttle bus from the south parking lot of the Alaska State Fairgrounds in Palmer (see map and schedule below). Please follow directions in parking your vehicles in the fairgrounds lot.



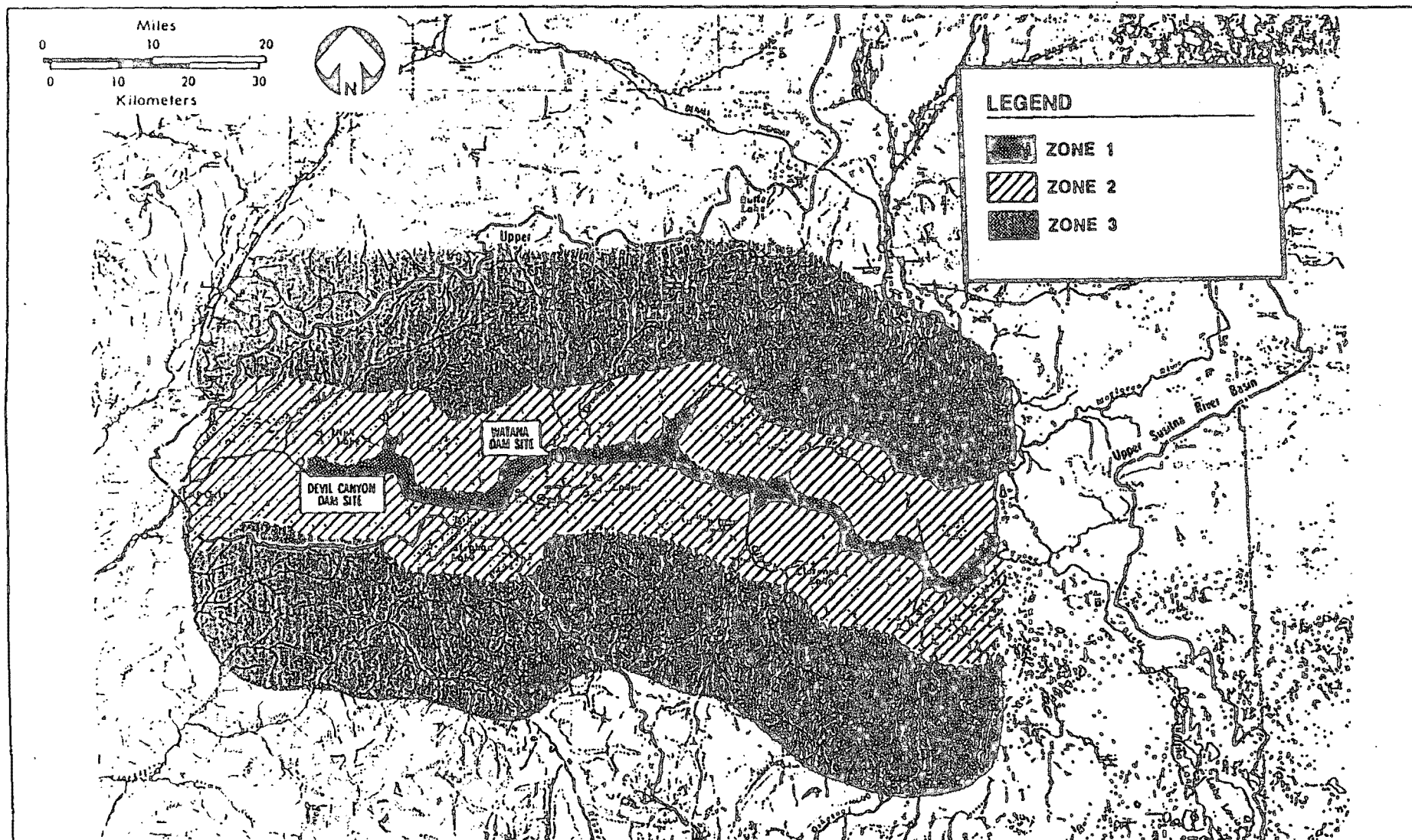
SHUTTLE BUS SCHEDULE: Shuttle buses will depart for the park every 15 minutes beginning at 11:30 a.m. Return buses will depart the park every 15 minutes beginning at 12:30 p.m., with the last bus leaving at 6:00 p.m.

FOR THE HANDICAPPED: Facilities at the park have been made as accessible to the handicapped as possible, and transportation for the handicapped will



--- BOUNDARY

BIOPHYSICAL COASTAL BOUNDARY
MATANUSKA - SUSITNA BOROUGH
COASTAL MANAGEMENT PROGRAM



STUDY AREAS FOR LAND USE ANALYSIS

TYONEK NATIVE CORPORATION

912 East 15th Avenue, Suite 200
Anchorage, Alaska 99501
(907) 272-4548

April 6, 1981

RECEIVED
APR 8 1981
ALASKA POWER AUTHORITY

Dan
Bruce
Nancy

Mr. Eric Yould, Executive Director
Alaska Power Authority
333 West 4th Ave., Suite 31
Anchorage, Alaska 99501

Dear Mr. Yould;

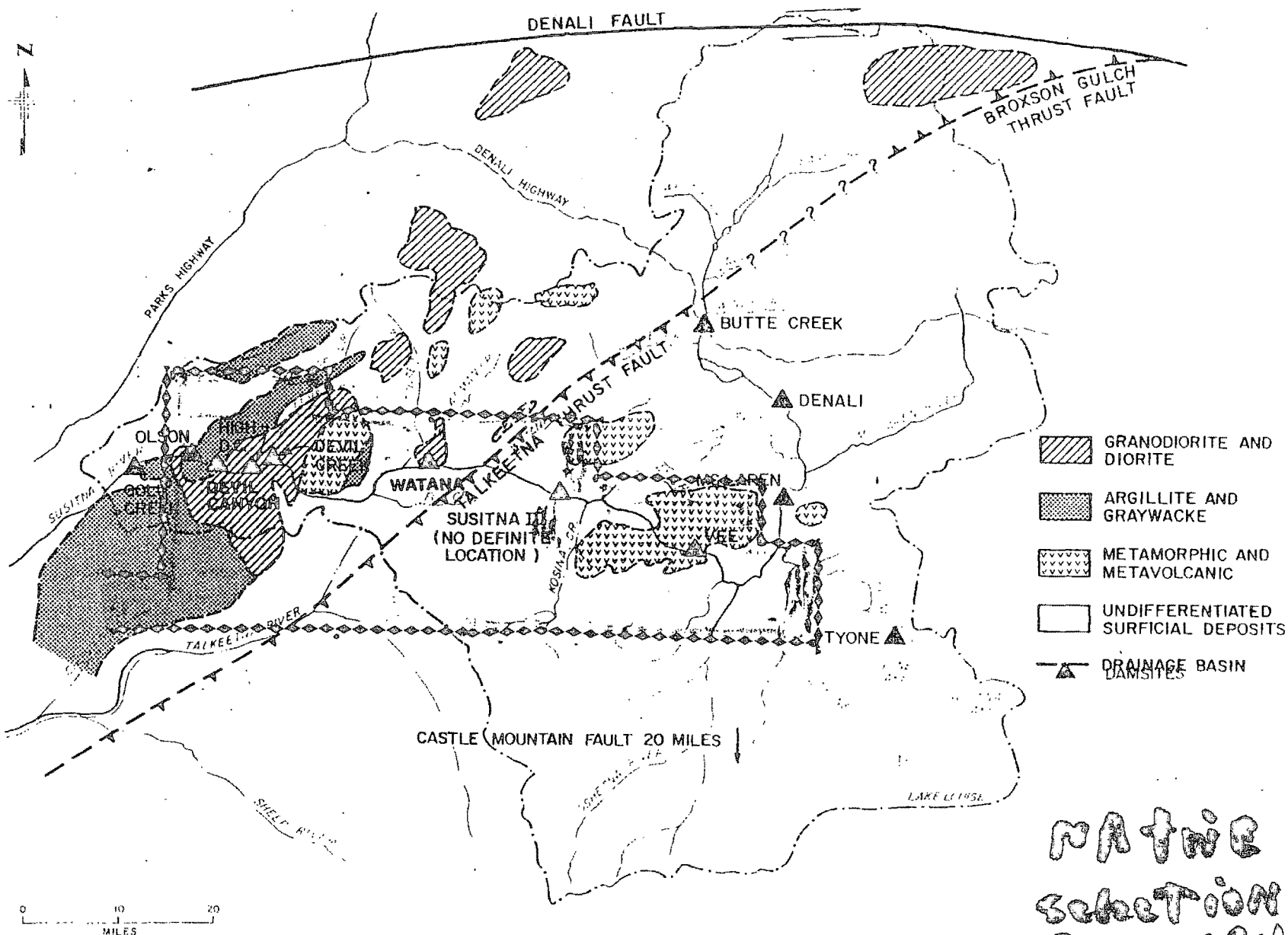
We fully support the Southern Road (Access Route A) as preferable to our affected villages. There is, as we understand, some possibility of a railroad from Gold Creek to Watana being a part of the construction activity. Our feelings are that permanent access to the damsites should be by road. If, then, the railroad is built to support construction activities we feel the roadbed should be converted after construction into a permanent road access to the Parks Highway.

Employment of Alaskans in maintenance and operation positions on the Susitna Dam Projects is also of importance to our villages. We feel the Power Authority should establish a training program to allow our shareholders, as well as Alaskans in general, to be trained for operations positions. This training should commence early enough so that newly trained technicians would be available for initial start up of the facility.

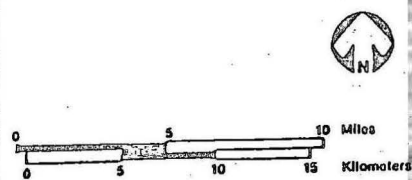
We would be pleased to meet with you to recommend procedures and assist in establishment of training guidelines.

Sincerely,

Agnes
B. Agnes Brown
Chairman, CIRI Village Presidents



*native
section
Doomally*



LEGEND

- ▣▣▣▣ STUDY AREA BOUNDARY
- ▨ PRIVATE LANDS
- ▨ FEDERAL RAILROAD WITHDRAWAL
- ▨ CIRI "IN LIEU" BOUNDARY
- ▨ NATIVE SELECTED LANDS
- C, K, T VILLAGE SELECTIONS
(Individual village selections appear in the center of sections.)
- C CHICKALOON SELECTIONS
- K KNIK SELECTIONS
- T TYONEK SELECTIONS

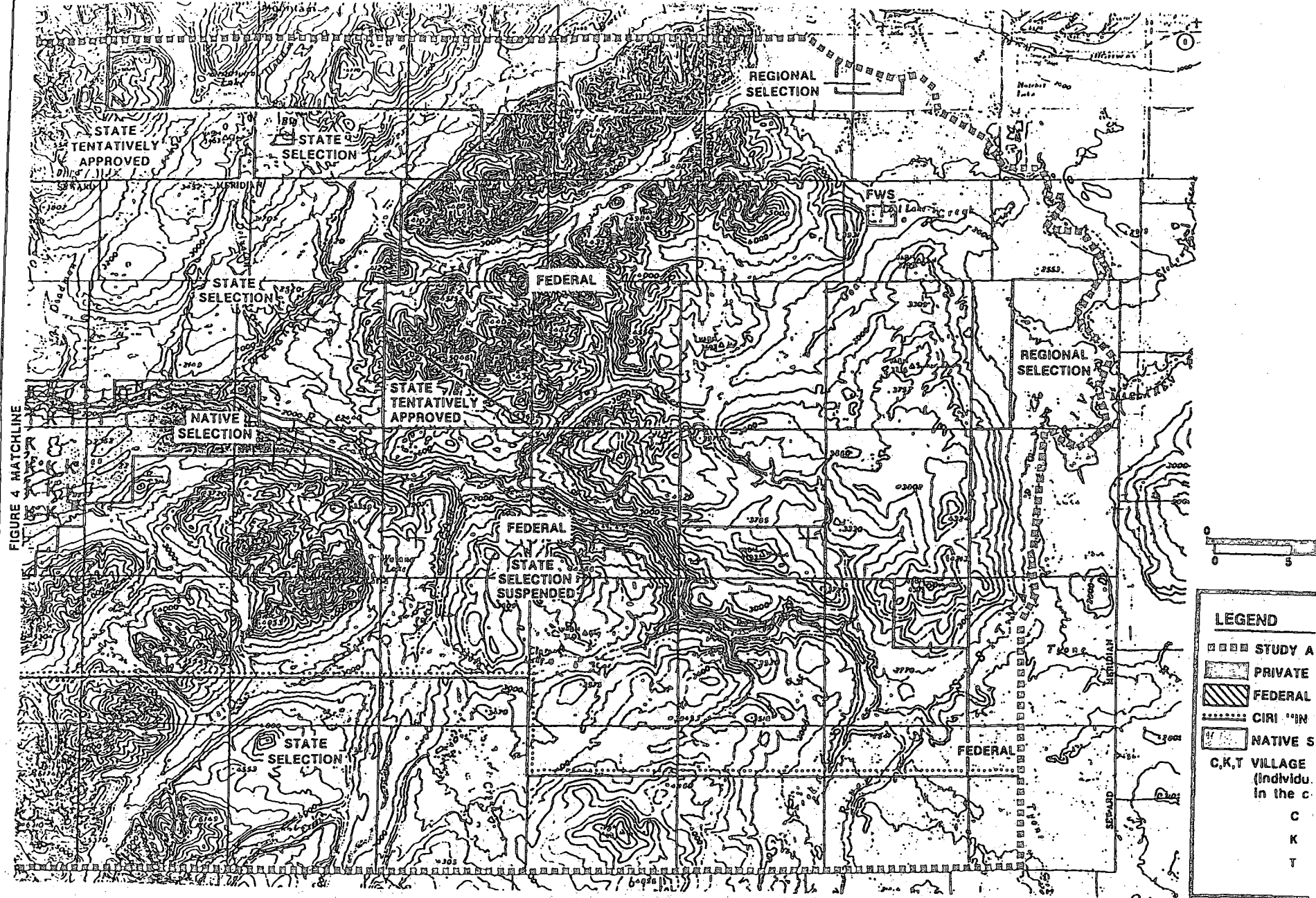


LAND OWNERSHIP/STEWARDSHIP, DEVIL CANYON PORTION

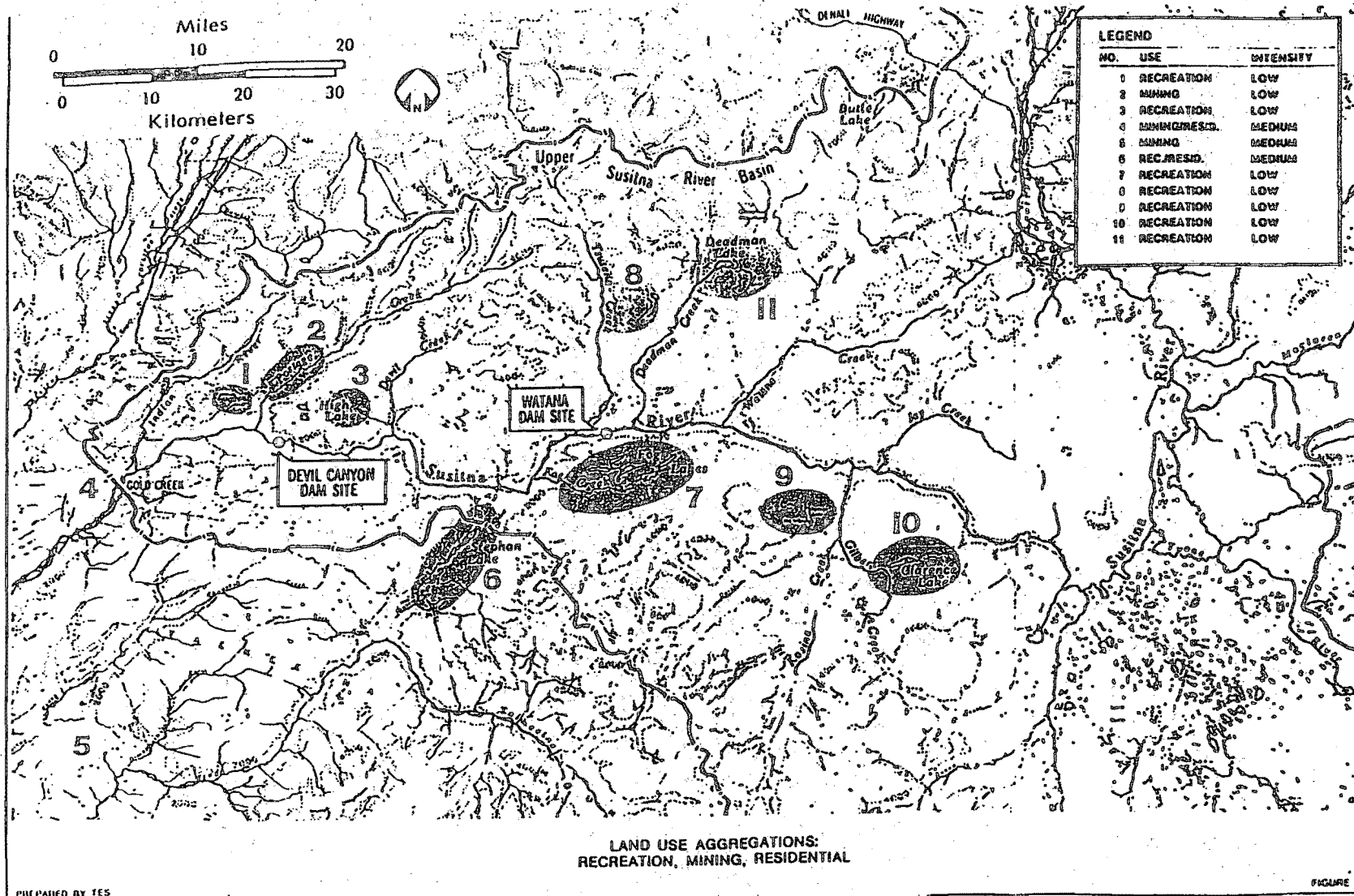
PREPARED BY TES

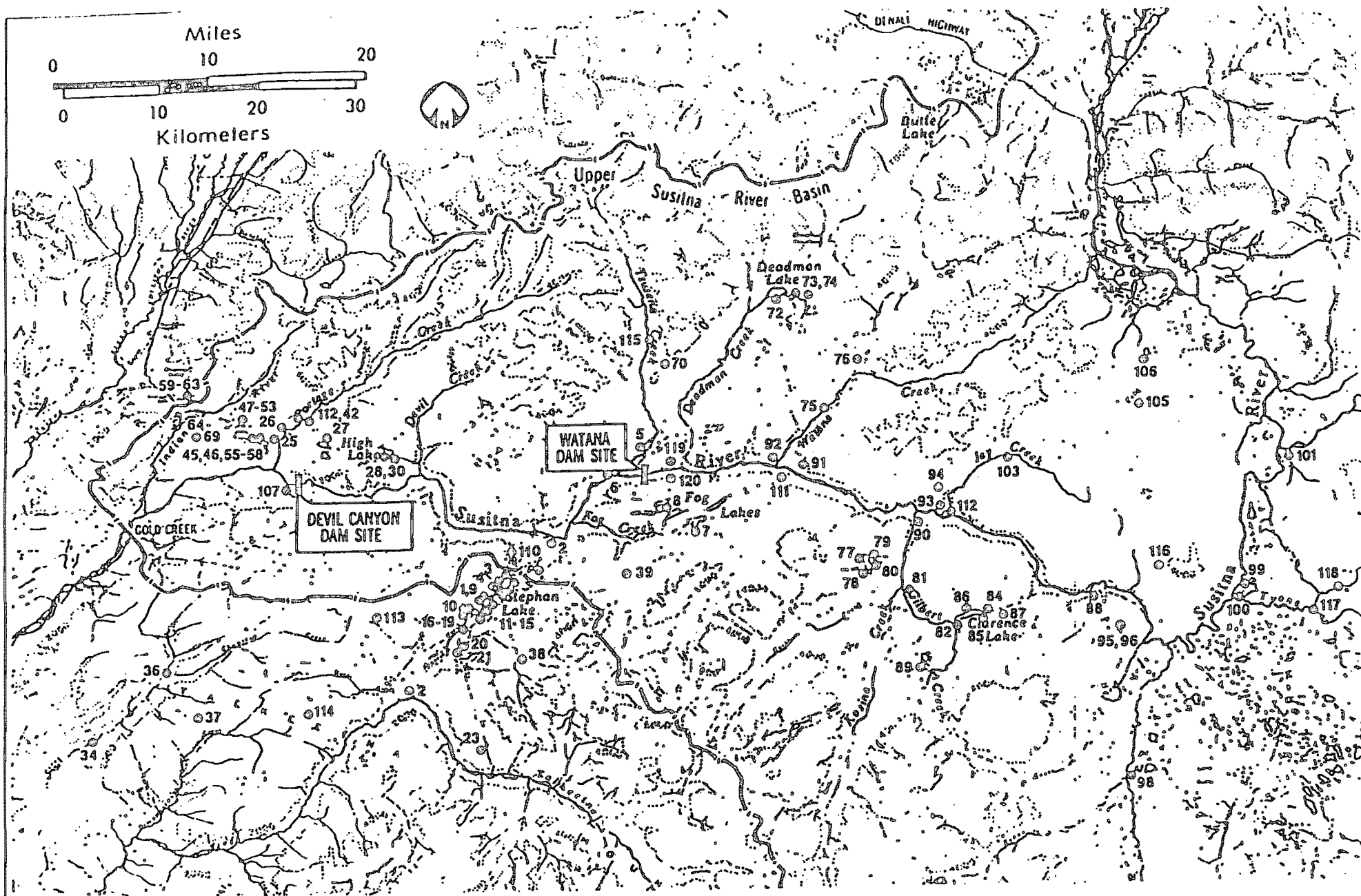
FIGURE 4

FIGURE 5 MATCHLINE



LAND OWNERSHIP/STEWARDSHIP, WATANA PORTION





EXISTING STRUCTURES

(a)
TABLE 5: ZONE 1 - EXISTING STRUCTURES

(b) Map #	Structure	Location	(c) Access	Currently Maintained	Use Status
2	Boat cabin	S. bank Susitna: on tributary 4.8 km (3 mi) S.W. of Fog Creek/Susitna confluence	boat, foot	Yes	Built in 1960's for Stephan Lake Lodge; currently used seasonally by Stephan boating/hunting guests.
90	Hunting lean-to	S.E. bank of Kosina/Susitna confluence	boat, foot, floatplane	Yes	Built in late 1970's for hunting/fishing purposes; fresh supplies indicate current use
91	Cabin	3 km (2 mi) N.E. of Watan/Susitna confluence	floatplane	No	Built in 1950's; used as seasonal hunting and fishing cabin; supplies indicate current use
112	Line cabin	N.E. corner of Jay/Susitna confluence	foot, dog team, boat, floatplane	No	E. Simco's line (trapping) and hunting cabin built in 1939; dates and game records indicate annual use
119	Trailer; work shack	N. bank of Susitna: 1.6 km (1 mi) W. of Deadman/Susitna confluence	helicopter	Yes	Built in 1970's by Army Corps for Susitna study
107	Cabin	S. bank of Susitna at Devil Canyon	4WD	No	Built and used in 1950's for Bureau of Rec. study; currently not in use
6	Cabin foundations	N. shore of Susitna: W. bank of 1st tributary W. of Tsusena/Susitna confluence	foot, dog team	No	Built in 1939 by Oscar Vogel as a trapping line cabin; used until late 1950's, now collapsed; no longer used

a. Zone 1 is the impoundment zone plus a 61-m (200 ft) perimeter.

b. See Figure 2.

c. Almost all sites are accessible by helicopter.

TABLE 5- (Continued)

Map #	(b) Structure	Location	(c) Access	Currently Maintained	Use Status
120	Shack	S. bank of Susitna: 1.6 km (1 mi) W. of Deadman/Susitna confluence	helicopter	No	Used and built in 1970's as a research site; since Army Corps study, has collapsed; no longer used
92	Cabin/ cache	N.W. bank of Watana/Susitna confluence	dog team, foot	No	Built in 1960's for hunting purposes; cabin collapsed; no longer in use
111	Cabin	S. bank of Susitna: 1.6 km (1 mi) E. of Watana/Susitna confluence	dog team, foot	No	Built in 1945 as a trapping line/hunting cabin; used for trapping until mid 1950's, presently covered with brush; no longer used

Summary: Ten structures exist within this zone. Of these, five are currently used on a seasonal basis in connection with fishing, boating, hunting, and research.

TABLE 8: USE INFORMATION FOR EXISTING STRUCTURES IN THE UPPER SUSITNA RIVER BASIN

	Zone 1	Zone 2	Zone 3
<u>PRESENT CONDITION OF STRUCTURE</u>			
Remains of structured foundations only (no use)	1	5	-
Badly weathered; partial structure remains - use no longer possible	2	-	1
Structure intact; not currently maintained - seasonal use - past & present	2	2	2
- no current seasonal use	2	7	1
Structure intact; maintained, with seasonal use - past & present	3	49	12
Structure intact; maintained, with year-round use	-	9	3
Structure intact; maintained; no current use information	-	4	3
<u>USE TYPES</u>			
Hunting, fishing, trapping	3	7	1
Hunting, fishing	2	43	3
Hunting only	1	7	2
Fishing only	-	1	-
Boating	1	21	-
Skiing	-	6	-
Mining	-	4	1
Research/exploration	3	2	-
<u>ACCESS</u>			
Air:			
Airstrip	3	26	6
Floats/skis	2	34	6
ATV	1	20	5
4WD	1	16	1
Boat	3	3	1
Foot, dog team	6	37	9
Snowmachine	-	6	1
Horse	-	4	-
Rail	-	1	2
Car	-	1	2

TABLE 12: SUMMARY OF PRESENT AND FUTURE LAND MANAGEMENT ACTIVITIES IN THE PROPOSED SUSITNA HYDROELECTRIC PROJECT AREA

Land Management Agency	Current Management	Future Management Direction
U.S. Department of Interior Bureau of Land Management	Protection of natural environment; no activities other than fire control and the issuing of some special use permits. Land use planning being undertaken.	Future management will be guided by Southcentral Planning Area Management Framework Plan and an easement management plan.
Alaska Department of Natural Resources	Planning for the disposal of state lands that are immediately adjacent to the west side of the project area (north and south of Chulitna).	State will select lands in project area not selected by the Natives. Management planning on these lands will not begin before 1983.
Alaska Power Authority	Performing hydroelectric development feasibility studies.	Dependent upon outcome of feasibility studies.
Matanuska-Susitna Borough	Borough has no lands in the project area. Project area does fall within the borough's boundaries and is part of the borough's Talkeetna Mountain Special Use District. Project area is a "mixed use" zone.	By Ordinance No. 79-35 creating the Talkeetna Mountains Special Use District, the borough can exercise planning and zoning authority over private lands within its boundaries; will commence further activities when hydro studies are completed.
Matanuska-Susitna Borough (in affiliation with the Federal Office of Coastal Zone Management and the Alaska Coastal Management Program)	Currently has designated the Susitna River to and including Devil Canyon as part of a biophysical area for the Coastal Zone Management Program.	Continuing CZM studies will determine any additional management direction.
Cook Inlet Region, Inc. and several villages	None; lands currently being transferred to individual villages.	Management planning not yet underway.

BRB.

LIST OF MINING CLAIMS.

T. 20 S, R. 10 W, F. M.
Section 22

MIDDLE FORK
DISCOVERY 1

T. 21 S, R. 11 W, F. M.
Section 35

CHULITNA
FORKS PLACER

T. 21 S, R. 11 W, F. M.
Section 36

L. & L.
MINING CLAIM

T. 22 S, R. 10 W, F. M.
Sections 4, 5, and 9

HONOLULU CLAIMS
Nos. 5, 6, 7, 9, 10, 11, 14, 15, 18, 19

T. 22 S, R. 11 W, F. M.
Section 1

L. & L.
MINING CLAIM

T. 22 S, R. 12 W, F. M.
Sections 16, 17, 20, and 21

RHODENITE
No. 1

Sections 15, 16, 21, and 22

COAL CREEK #1 - #5

Sections 21 and 28

PARTIN CREEK #1 and #2

Sections 27 and 28

ELDRIDGE #1 - #3

T. 31 N, R. 2 W, S. M.
Section 1

SECOND CREEK CLAIM
No. 1

Sections 20 and 21

GOLD CREEK ASSOCIATION No. 1

Sections 23 and 24

CALIFORNIA #1 and #2

Sections 21, 22, 26, 27, and 28

GOLD CREEK ASSOCIATION No. 2

Sections 26, 27, 34, 35, and 36

ELDORADO CREEK ASSOCIATION No. 1

Section 36

ELDORADO
#1, #2, and #3

T. 31 N, 2 W, S. M.
Sections 27 and 28

ACM - 6 and
ACM - 5

BRB
COMMONWEALTH ASSOCIATES LETTER/MINING CLAIMS LIST

-2-

November 13, 1980

Sections 33 and 34

T. 30 N, R. 6 W, S. M.
Section 24

T. 30 N, R. 5 W, S. M.
Section 19




T. 27 N, R. 4 W, S. M.
Section 3

ACH - 1, 2, 3 and 4

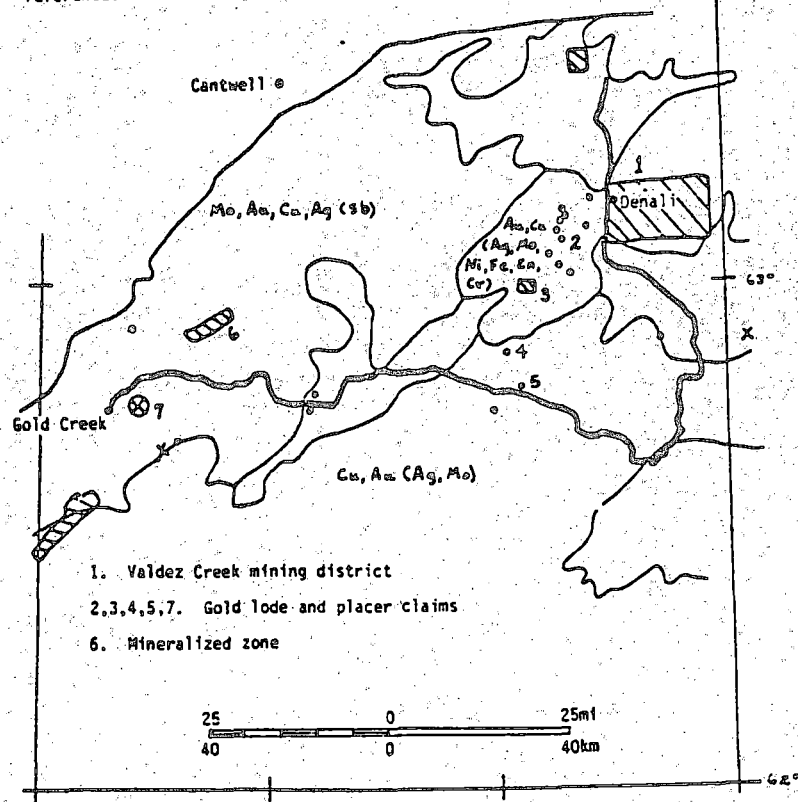
TOKOSHA
No. 3, 4, and 5

TOKOSHA
No. 3, 4, and 5

MISS ANN
MISS ANN I
MISS ANN II

- X Mining claim or group of claims
-  Area of many closely spaced mining claims
-  Mining claim or group of claims with recorded production
-  Area of many closely spaced mining claims with recorded production
- o Mineral deposit and/or occurrence

Source: U.S. Bureau of Mines, 1973; U.S. Bureau of Mines mineral property files; references cited in text.



1. Valdez Creek mining district
- 2,3,4,5,7. Gold lode and placer claims
6. Mineralized zone

Susitna River proposal showing mining claims, mineral occurrences, and terranes geologically favorable for the occurrence of mineral deposits.

Table 2

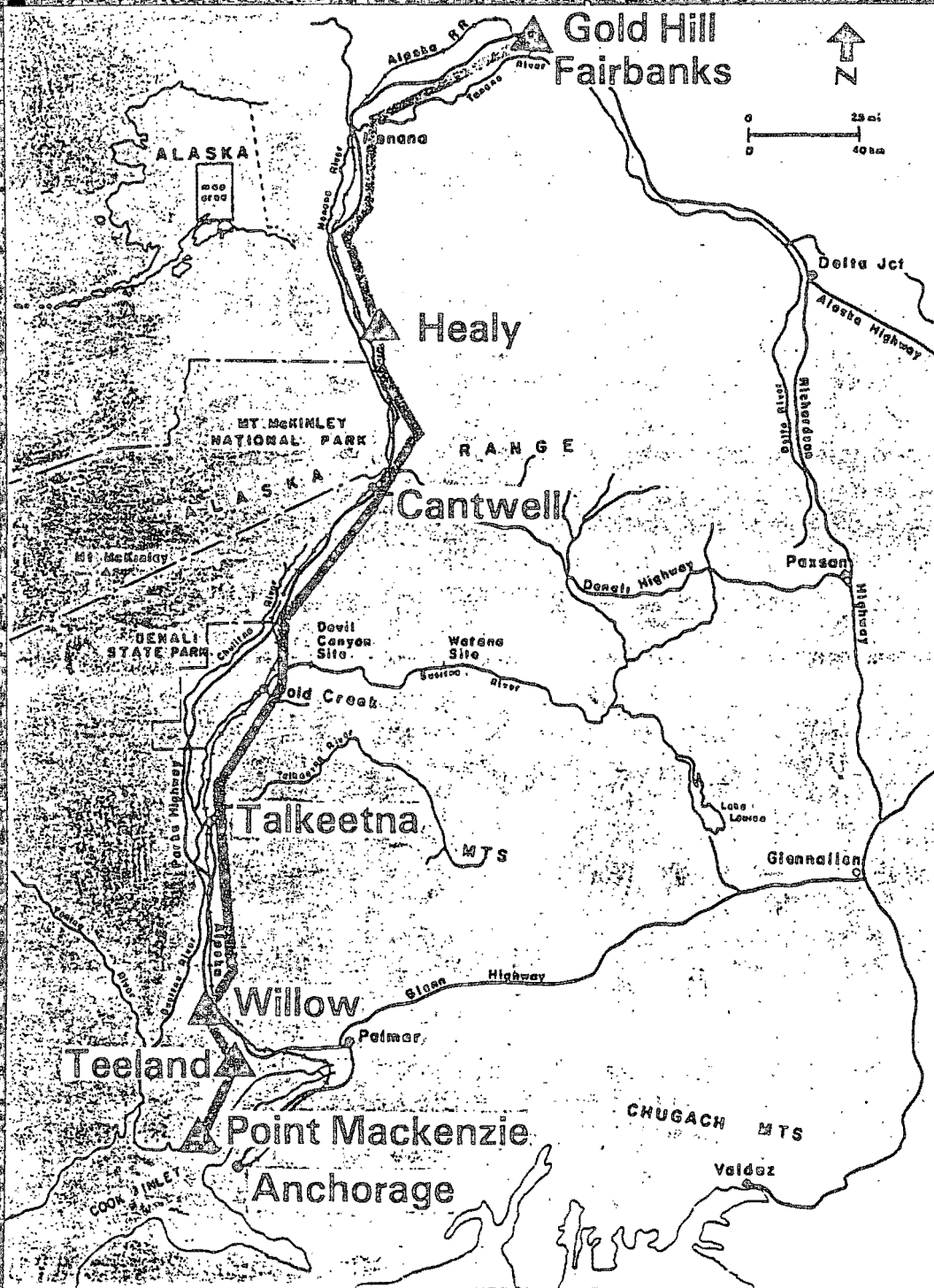
Summary of Cabins and Lodges Located in (a)
Each Segment Area, Associated with Access Routes

SHEET NUMBER	SEGMENT NUMBER	CABINS & RESIDENCES BY ROUTE			LODGES BY ROUTE (b)		
		1	2a,b	3	1	2a,b	3
1		11	2		1		
>		> 7			1(9)		
2		5					
3							
4		1		1			1
6							
7							
14			2				
15			8			1(10)	
8			3				
9			2				
18							
17							
16				3			
Totals		24	17	4	2(10)	1(10)	1

(a) This table summarizes only residences and lodges which are located in proximity to alternate routes outside of communities; it does not include residences or other structures which may be affected within communities.

(b) Numbers in parentheses indicate number of buildings associated with each lodge.

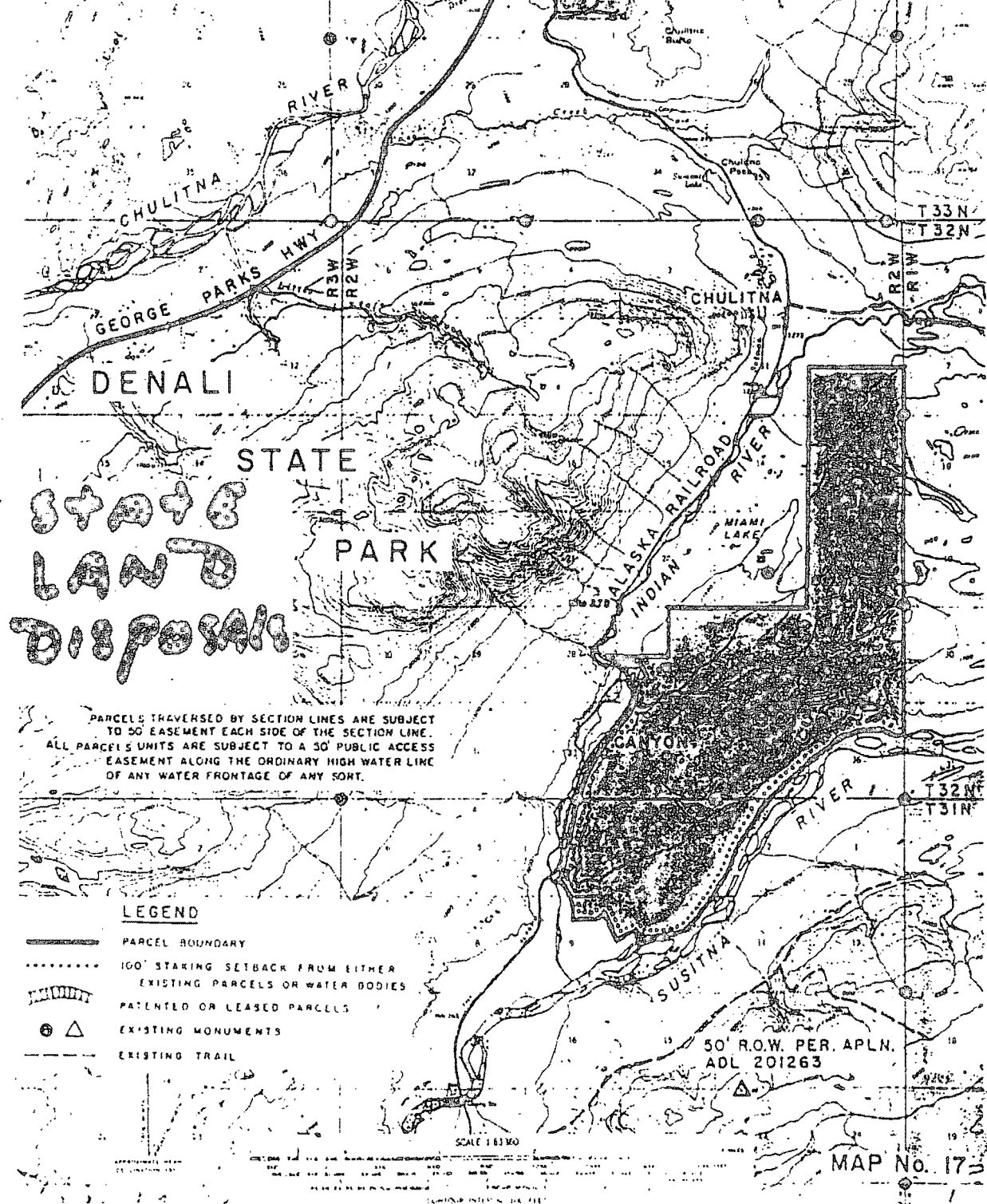
ANCHORAGE — FAIRBANKS INTERCONNECTION ALASKA POWER AUTHORITY



INDIAN RIVER

MAXIMUM SIZE PER ENTRY: 20 ACRES
PARCEL 9013: 75 ENTRIES
NET OFFERING: 1500 ACRES

TOWNSHIP 31, 32 NORTH, RANGE 2 WEST,
SEWARD MERIDIAN
USGS QUAD TALKEETNA MOUNTAINS (D-6)
For Vicinity See Map No. 15



STATE
LAND
DISPOSAL

PARCELS TRAVERSED BY SECTION LINES ARE SUBJECT
TO 50' EASEMENT EACH SIDE OF THE SECTION LINE.
ALL PARCELS UNITS ARE SUBJECT TO A 30' PUBLIC ACCESS
EASEMENT ALONG THE ORDINARY HIGH WATER LINE
OF ANY WATER FRONTAGE OF ANY SORT.

LEGEND

- PARCEL BOUNDARY
- 100' STAKING SETBACK FROM EITHER
EXISTING PARCELS OR WATER BODIES
- PATENTED OR LEASED PARCELS
- EXISTING MONUMENTS
- EXISTING TRAIL

50' R.O.W. PER. APLN.
ADL 201263

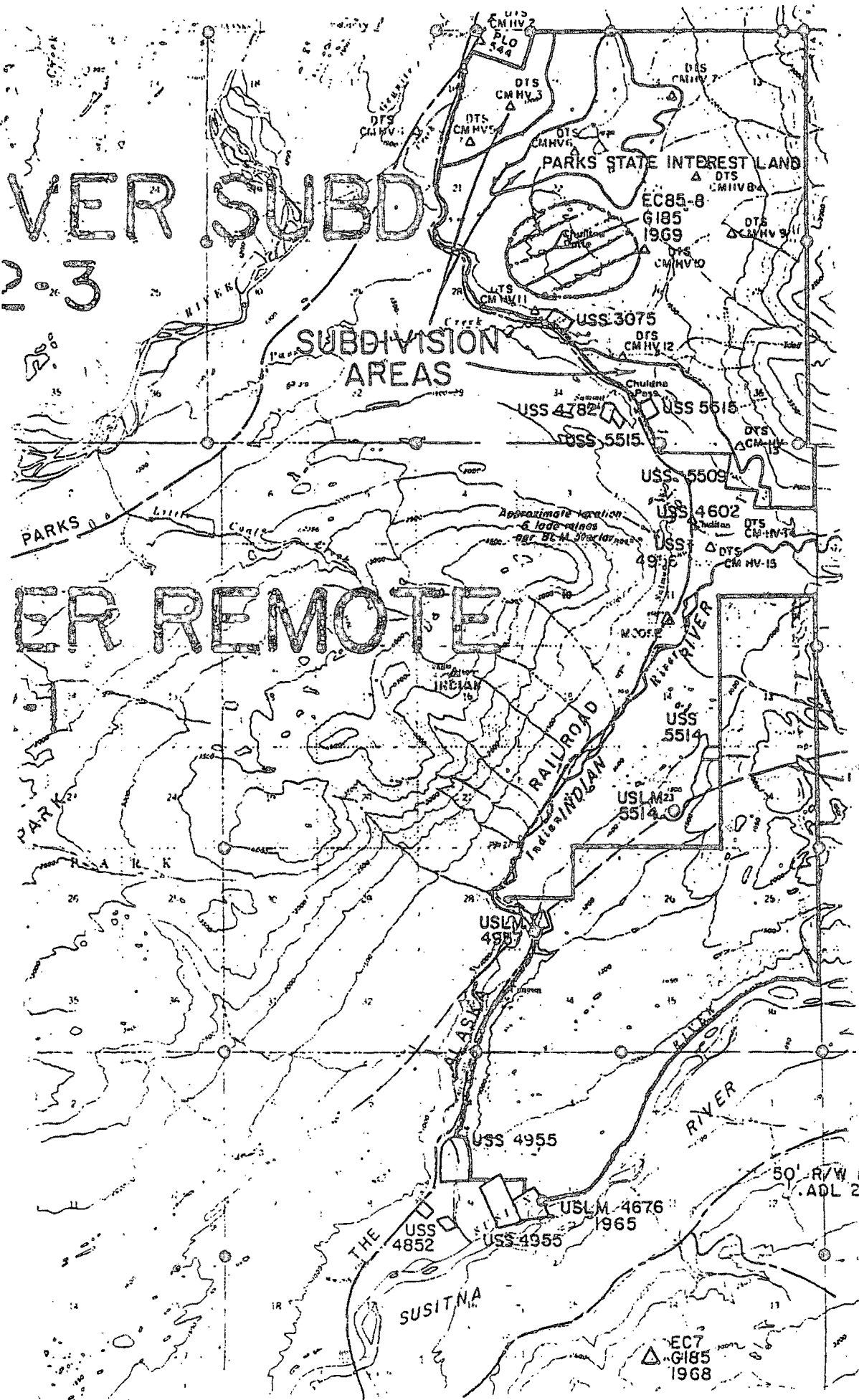
MAP No. 173

VER SUBD

2-3

SUBDIVISION
AREAS

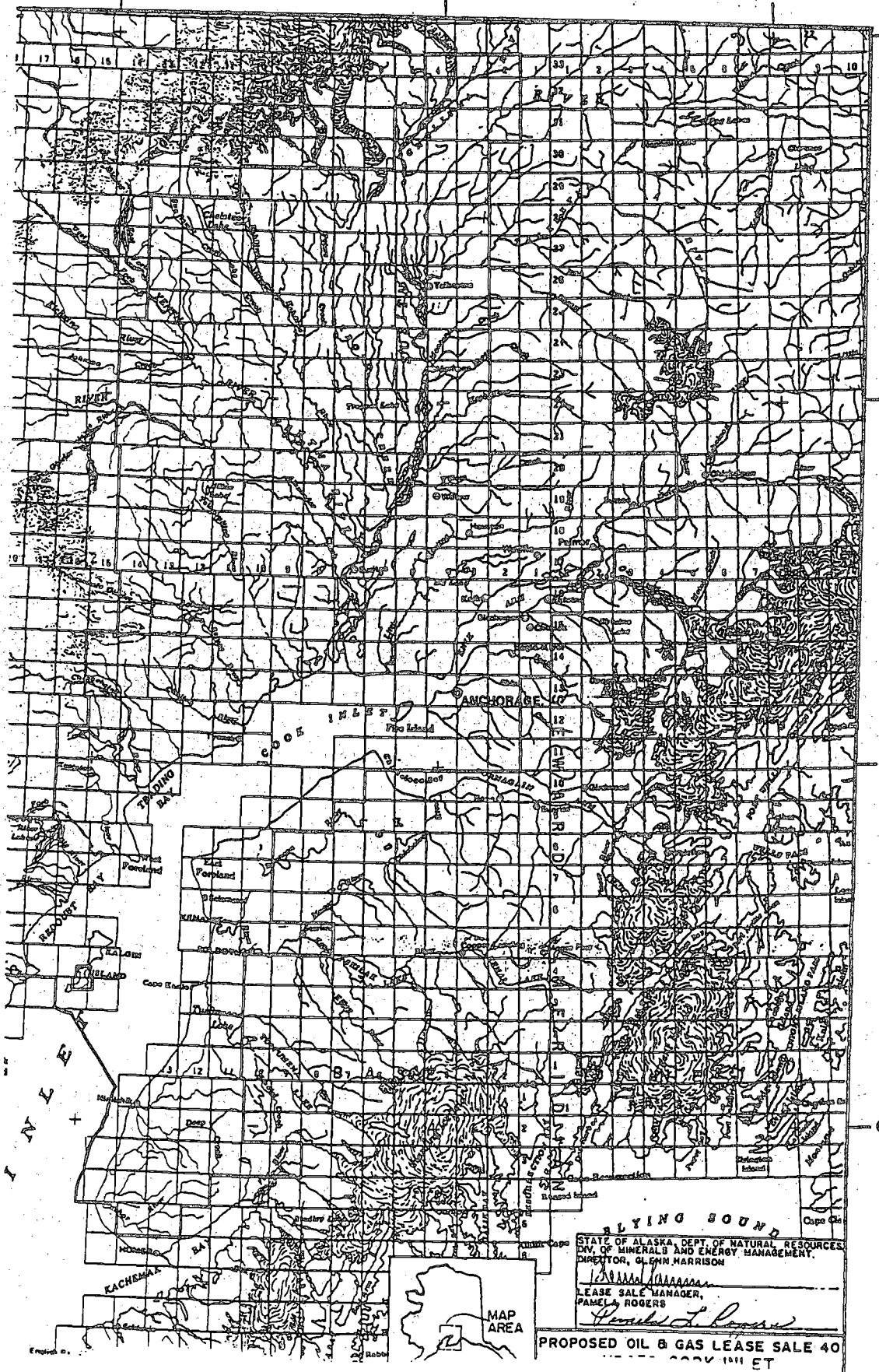
ER REMOTE



152°

150°

148°



FLYING SOUND
STATE OF ALASKA, DEPT. OF NATURAL RESOURCES,
DIV. OF MINERALS AND ENERGY MANAGEMENT,
DIRECTOR, GLENN MARRISON
LEASE SALE MANAGER,
PAMELA ROGERS
Pamela L. Rogers

PROPOSED OIL & GAS LEASE SALE 40
JAN 1982 1011 ET

**State of Alaska
Department of Natural Resources
Proposed Competitive Sale of Coal Leases**

The Department of Natural Resources, Division of Minerals and Energy Management, is proposing to conduct a competitive sale of coal leases for state land, within the Beluga River area, considered to have moderate or high potential for commercial coal resources.

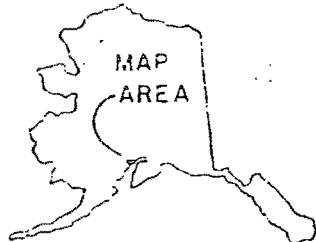
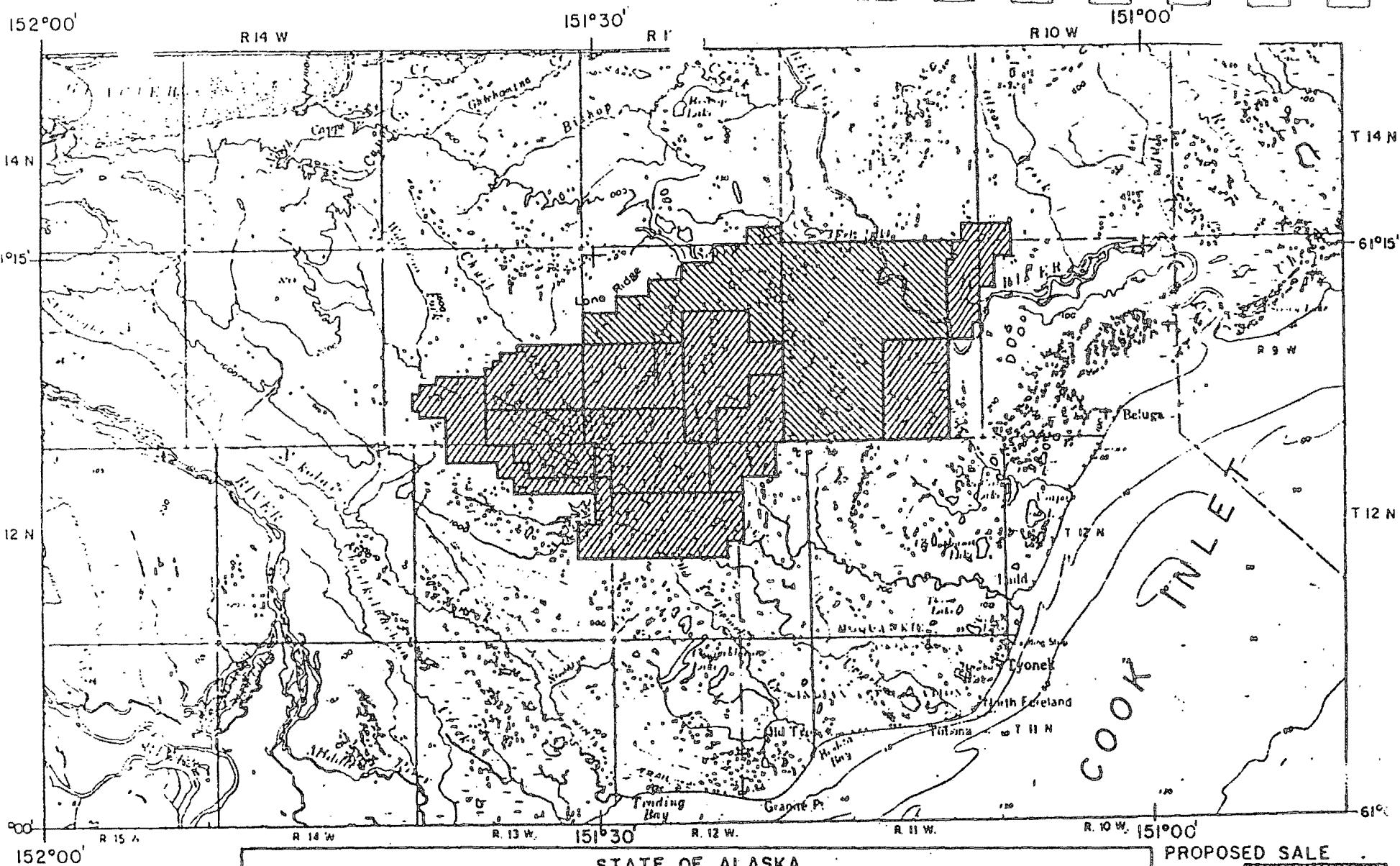
The sale is proposed to occur in February 1983.

The sale area is within Townships 13 and 14 North, Range 12 West of the Seward Meridian. This is northwest of Anchorage, south of Beluga Lake, in the vicinity of existing Beluga area coal leases. The sale will include land in both the Kenai Peninsula Borough and the Matanuska Susitna Borough.

Approximately 25,000 acres are proposed for disposal. Individual sale area tracts will be delineated after feasible coal management units are defined. Successful bidders for tracts offered in this sale will acquire a coal lease granting the exclusive right to mine coal resources located within the lease area. The term of the coal lease is indeterminate, subject to diligent development and continued operation of the mine. Leases will be reviewed regularly to ensure that steady development warranting continuance of the lease has occurred.

The lessee will be required to submit acceptable plans of operation and to comply with other lease terms. All activities under coal leases will be subject to the Alaska Surface Coal Mining Control and Reclamation Act.

The competitive coal sale will not be held until formal public notice is issued to solicit comments and a final written finding is made by the Director of the Division of Minerals and Energy Management that issuance of those leases will best serve the interests of the State of Alaska. The development of that finding will include review of socio-economic and environmental concerns of the public, as well as local, state and federal agencies. The finding of best interest will contain an analysis of the potential effects of issuing leases in the proposed area and the means by which negative impacts will be mitigated.



STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINERALS AND ENERGY MANAGEMENT
F.Y. '83 PROPOSED BELUGA COMPETITIVE COAL DISPOSAL AREA

DIRECTOR, KAY BROWN

DATE APPROVED

DRAWN BY:

SCALE 1:250,000

Kay Brown

7/8/12

O.D.S.

5 MILES 0

DEPUTY DIRECTOR, RAND HEDDERY-SMITH

CHECKED BY:

BASE MAP: U.T.M. PROJECTION BY
U.S. GEOLOGICAL SURVEY
TYONEK GAUDRANGLE.

PROPOSED SALE

AREA =

EXISTING
LEASES =

NOTE: NO DECISION HAS YET
BEEN MADE ON WHETHER THE
STATE WILL ACCEPT THIS LEASE
SALE. THE STATE IS IN THE
PROCESS OF GATHERING SOCIAL,
ENVIRONMENTAL & ECONOMIC
INFORMATION ON WHICH TO
BASE A DECISION.

State of Alaska
Department of Natural Resources
Proposed Non-Competitive Coal Rights Disposal

The Department of Natural Resources, Division of Minerals and Energy Management, is proposing to conduct a non-competitive disposal of coal rights. This disposal will involve the issuance of coal prospecting permits (CPP) from existing applications for state land within the Susitna Basin considered to have low or unknown potential for commercial coal resources.

The disposal is proposed to occur in December 1982.

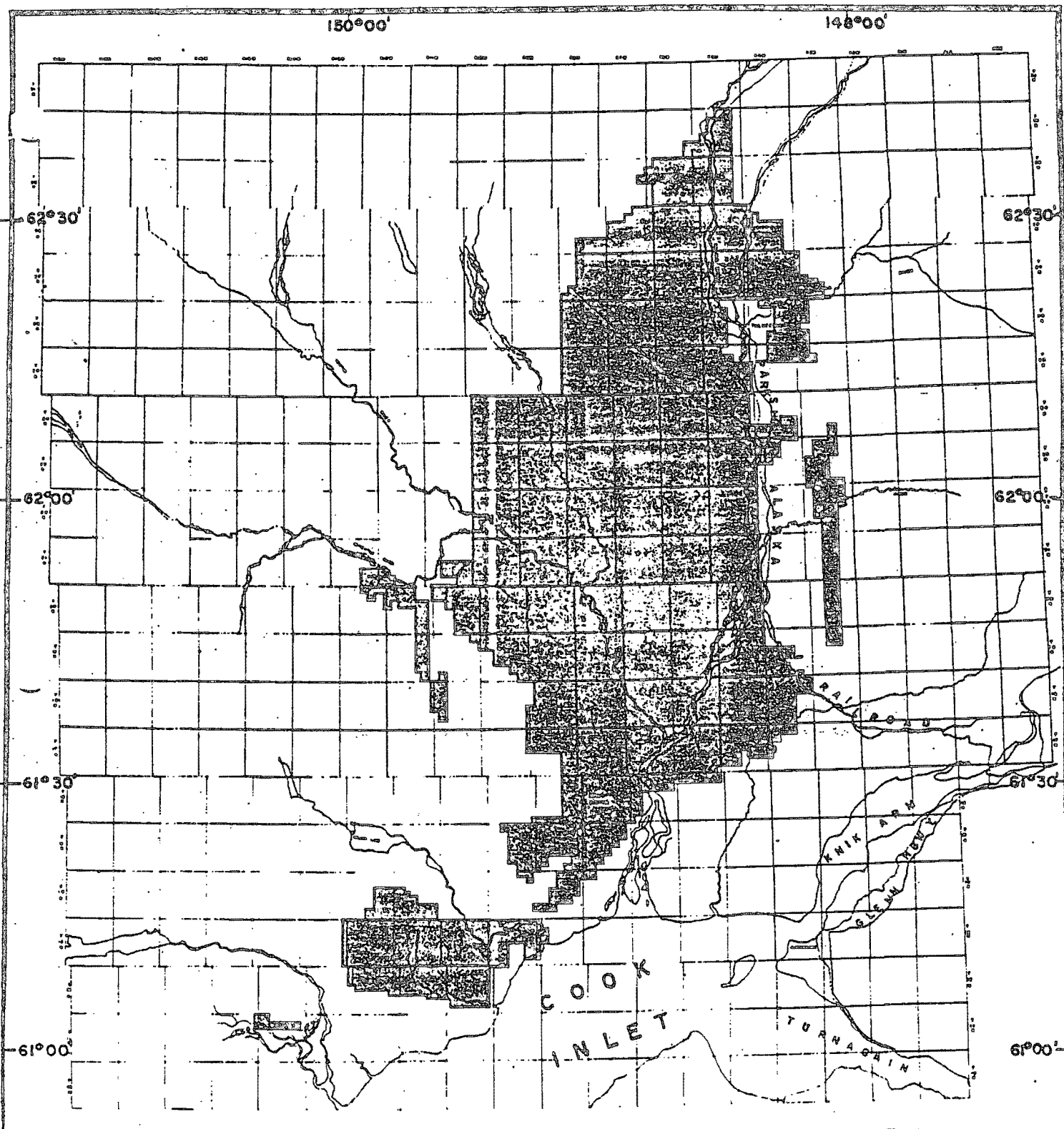
The disposal area is north of Cook Inlet, northwest of Anchorage including land north to Denali State Park and as far south as the Beluga River. Most applications are for land west of the Parks Highway in Townships 18-26 North, Ranges 4-10 West, Seward Meridian. More than 90 percent of the applications are for land within the Matanuska-Susitna Borough, with the remainder for land within the Kenai Peninsula Borough.

Permittees will acquire the right to prospect for coal on the area covered by the permit, for a term of two years. The opportunity for one two-year extension exists, if the permittee can demonstrate that diligent exploration is being performed. All activities under CPPs and coal leases will be subject to the Alaska Surface Coal Mining Control and Reclamation Act. If the permittee complies with all terms of the permit, observes applicable statutes and regulations, discovers commercial quantities of coal and submits a satisfactory mining plan, he is entitled to convert the prospecting permit to a non-competitive coal lease for that area of the permit which contains coal.

The Department of Natural Resources will review 384 existing applications for CPPs, which cover approximately 920,000 acres. Applications may request up to 5,120 acres each. Individual permits may be issued for less than their entire application area, if a feasible coal management unit can be maintained.

The following land will not be available for issuance of CPPs: land under prior or existing CPPs; coal leases; land designated for competitive disposal of coal resources; areas under conflicting land use classifications; and, land determined to have other values higher than the potential for coal development. CPP issuance will also be prohibited on land with existing or potential for high density settlement. Any CPP applications existing within these identified areas will be denied. Surface entry for exploration activities will be restricted on portions of CPPs where third-party interests that may be converted to fee-ownership of the surface estate exist.

Coal Prospecting Permits will not be issued until formal public notice is issued to solicit comments and a final written finding is made by the Director of the Division of Minerals and Energy Management under AS 38.05.035 that issuance of those permits will best serve the interests of the State of Alaska. The final finding of best interest will consider socio-economic and environmental concerns from the public, as well as from the federal, state, and local agencies. The finding will provide an analysis of the potential effects of this disposal and the means by which negative impacts will be mitigated.



SUSITNA BASIN COAL PROSPECTING PERMIT APPLICATION AREA

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF MINERALS AND ENERGY MANAGEMENT

NOTE NO DECISION HAS YET BEEN MADE ON WHETHER THE STATE WILL JOIN THIS DISPOSAL. THE STATE IS IN THE PROCESS OF GATHERING SOCIAL, ENVIRONMENTAL & ECONOMIC INFORMATION ON WHICH TO BASE A DECISION.

DIRECTOR, KAY BROWN

DATE APPROVED

DRAWN BY:

EXISTING APPLICATION AREA

DEPUTY DIRECTOR, DAVID HEDDERLY-SMITH

CHECKED BY:

SCALE \approx 1:1,014,000

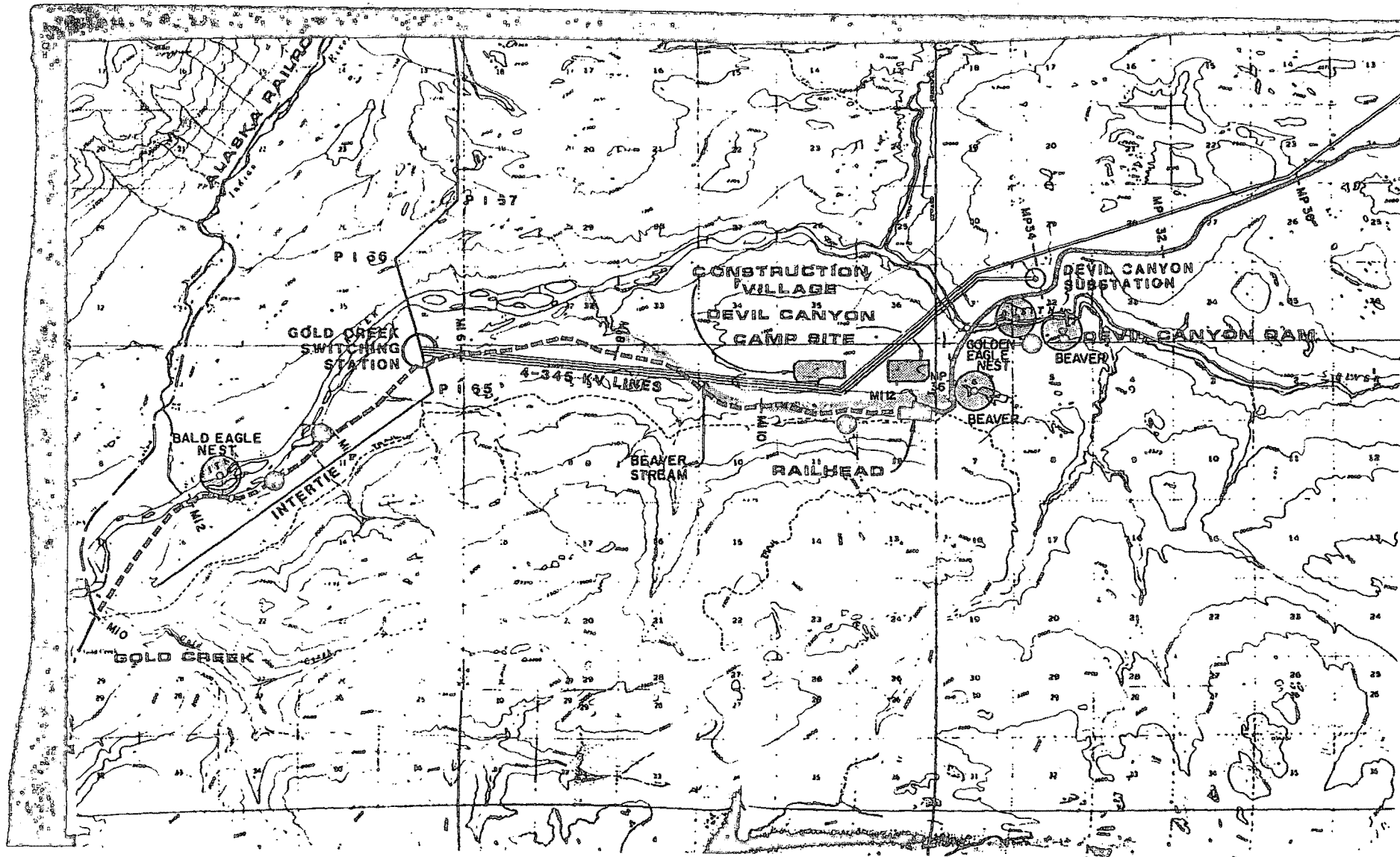
Kay Brown

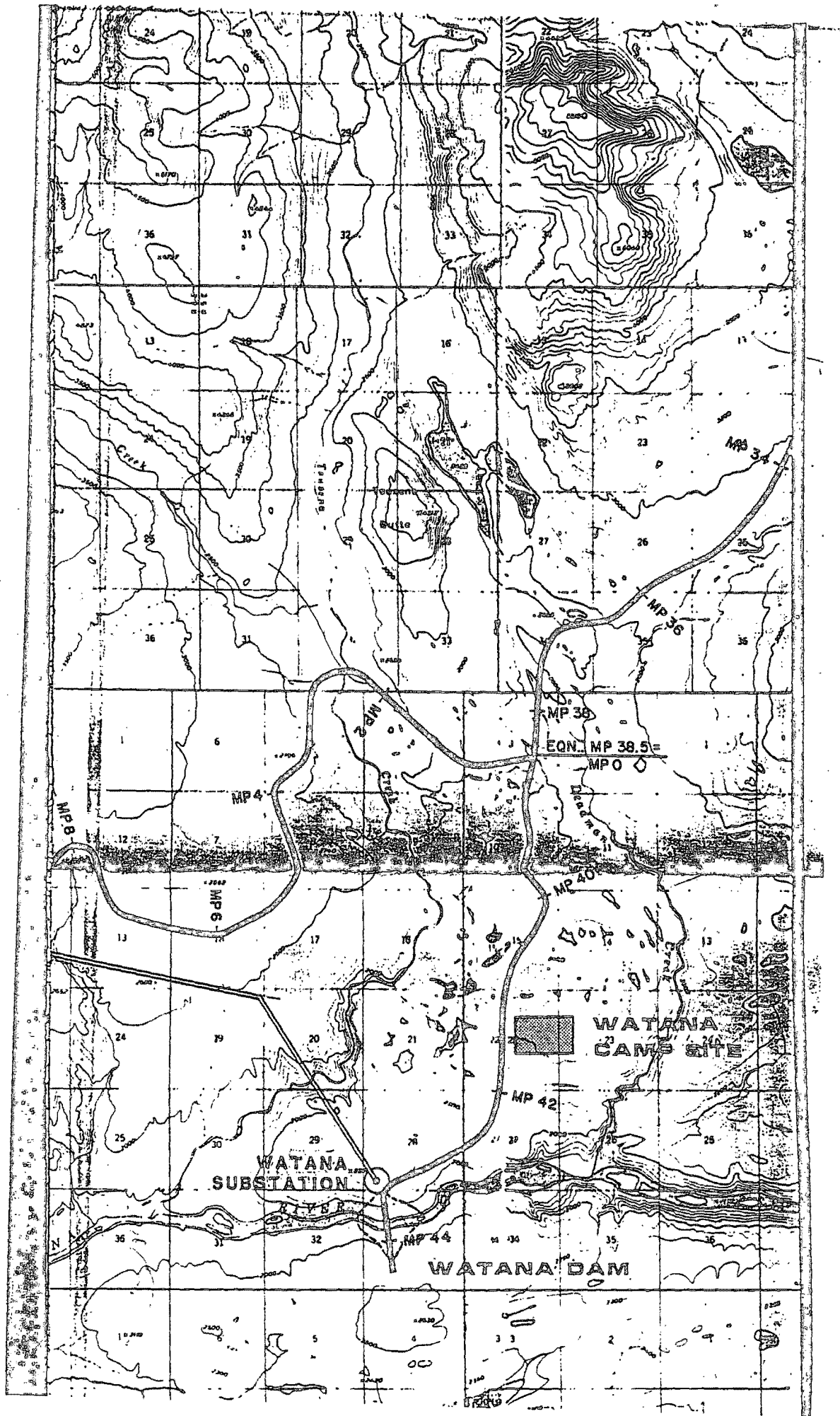
7/8/82

W.H.

David Hedderly-Smith

W.H.





DEVIL CANYON

<u>Activity</u>	<u>Action</u>	<u>Year</u>	<u>Requirements</u>
Access Road/Bridges	Construct Trans-Dam Link	1994	45 acres
Construction Camp	Construction Initiation	1994	45 acres
	Construction Completion	1995	15 acres
	Dismantle and Reclaim	2002	Reclaim 60 acres
Village Site	Construction Initiation	1995	30 acres
	Construction Completion	1996	30 acres
	Dismantle and Reclaim	2002	Reclaim 60 acres
Site Construction Roads	Construction Initiation	1994	75 acres
	Construction Completion	1995	25 acres
Contractor's Work Areas Including Batching and Processing Plant	Construction Initiation	1994	150 acres
	Construction	1995	150 acres
	Construction	1996	150 acres
	Construction Completion	1997	30 acres
Intakes	Construct	1998	2 acres
Service Spillway	Construction Initiation	1997 ✓	9 acres
	Construction Completion	1998 ✓	3 acres
Emergency Spillway	Construction Initiation	1998 ✓	12 acres
	Construction Completion	1999	5 acres
Saddle Dam	Construct	1998 ✓	16 acres

DEVIL CANYON (cont'd) - 2

<u>Activity</u>	<u>Action</u>	<u>Year</u>	<u>Requirements</u>
Borrow Area K	Excavate	1995	Excavate 110 acres
	Excavate and Reclaim	1996	Excavate 110 acres, reclaim 110 acres
	Excavate and Reclaim	1997	Excavate 110 acres, reclaim 110 acres
	Excavate and Reclaim	1998	Excavate 35 acres, reclaim 110 acres
	Reclaim	1999	Reclaim 35 acres
Main Dam	Excavation and Foundation	1996	3 acres
		1997	3 acres ✓
Reservoir Clearing	Begin	1999	1,500 acres
	Continue	2000	1,800 acres
	Completion	2001	1,500 acres
Reservoir Filling	Begin	2000	1,800 acres
	Continue	2001	2,400 acres
	Completion	2002	1,700 acres

WATANA

Crane

<u>Activity</u>	<u>Action</u>	<u>Year</u>	<u>Requirements</u>
Access Road/Railroad/Bridges	Initial Clean and Strip	1985	788 acres
	Upgrade	1986	
Construction Camp	Construction Initiation	1985	75 acres
	Construction Completion	1986	70 acres
	Disband and Reclaim	1994	Reclaim 75 acres
	Disband and Reclaim	1995	Reclaim 70 acres
Permanent Town	Construct	1987	31 acres
	Construct	1988	35 acres
Village Site	Construction Initiation	1986	60 acres
	Construction Completion	1987	60 acres
	Disband and Reclaim	1994	60 acres
	Disband and Reclaim	1995	60 acres
Site Construction Roads	Construction Initiation	1985	120 acres
	Construction Continuation	1986	120 acres
	Construction Completion	1987	60 acres
Contractor's Work Areas	Construction Initiation	1985	190 acres
	Construction Continuation	1986	360 acres
	Construction Completion	1987	190 acres
<i>Staging areas</i>			<i>150 acres each</i>
Airstrip	Temporary Construction	1985	8 acres
	Permanent Construction	1985	20 acres
Borrow Area D	Excavate	1985	Excavate 70 acres
	Excavate and Reclaim	1986	Excavate 70 acres, reclaim 70
	Excavate and Reclaim	1987	Excavate 70 acres, reclaim 70 acres
	Excavate and Reclaim	1988	Excavate 100 acres, reclaim 70 acres
	Excavate and Reclaim	1989	Excavate 100 acres, reclaim 100 acres
	Excavate and Reclaim	1990	Excavate 100 acres, reclaim 100 acres
	Excavate and Reclaim	1991	Excavate 100 acres, reclaim 100 acres
	Excavate and Reclaim	1992	Excavate 100 acres, reclaim 100 acres
	Reclaim	1993	Reclaim 100 acres

WATANA (cont'd) - 2

<u>Activity</u>	<u>Action</u>	<u>Year</u>	<u>Requirements</u>
Borrow Area E	Excavate	1985	Excavate 40 acres
	Excavate	1986	Excavate 40 acres
	Excavate	1987	Excavate 80 acres
	Excavate	1988	Excavate 120 acres
	Excavate	1990	Excavate 45 acres
	Reclaim (remainder under water)	1991	Reclaim 90 acres
Borrow Area F	Excavate	1985	Excavate 500 acres
	Excavate and Reclaim	1986	Excavate 200 acres, reclaim 500 acres
	Reclaim	1987	Reclaim 200 acres
Main Dam	Excavation of Right Abutment	1985 ✓	50 acres
	Foundation Construction and Clearing	1986 ✓	80 acres
	Foundation Construction and Clearing	1987 ✓	80 acres
	Foundation Construction and Clearing	1988 ✓	50 acres
Intakes	Construction Initiation	1987 ✓	10 acres
	Construction Completion	1988 ✓	3 acres
Service Spillway	Construction Initiation	1988 ✓	12 acres
	Construction Completion	1989	8 acres
Emergency Spillway	Construction Initiation	1990 ✓	25 acres
	Construction Completion	1991 ✓	10 acres

WATANA (cont'd) - 3

Activity	Action	Year	Requirements
Transmission Line	Gold Creek to Watana Construction Initiation	1985	400 acres
	Gold Creek to Watana Construction Completion	1987	
	Construction of Healy- Fairbanks Initiation	1989	400 acres
	Construction of Healy- Fairbanks Completion	1990	400 acres
	Construction of Willow- Anchorage Initiation	1989	400 acres
	Construction of Willow- Anchorage Completion	1990	400 acres
Reservoir Clearing	Clear	1989	3,000 acres
	Clear	1990	9,000 acres
	Clear	1991	9,000 acres
	Clear	1992	10,000 acres
Reservoir Filling	Fill to 1460 ft	1990	3,000 acres
	Fill to 1865 ft	1991	9,000 acres
	Fill to 2050 ft	1992	9,000 acres
	Fill to 2185 ft	1993	10,000 acres
Relict Channel	Fill	1992	460 acres

37, 800 to 1000

LEGAL DESCRIPTION

DEVIL DAMSITE

A single parcel of land located in Central Alaska, encompassing a portion of the Susitna River at the approximate geographic latitude of 62°49'00" and longitude of 149°18'19", being more particularly described as follows:

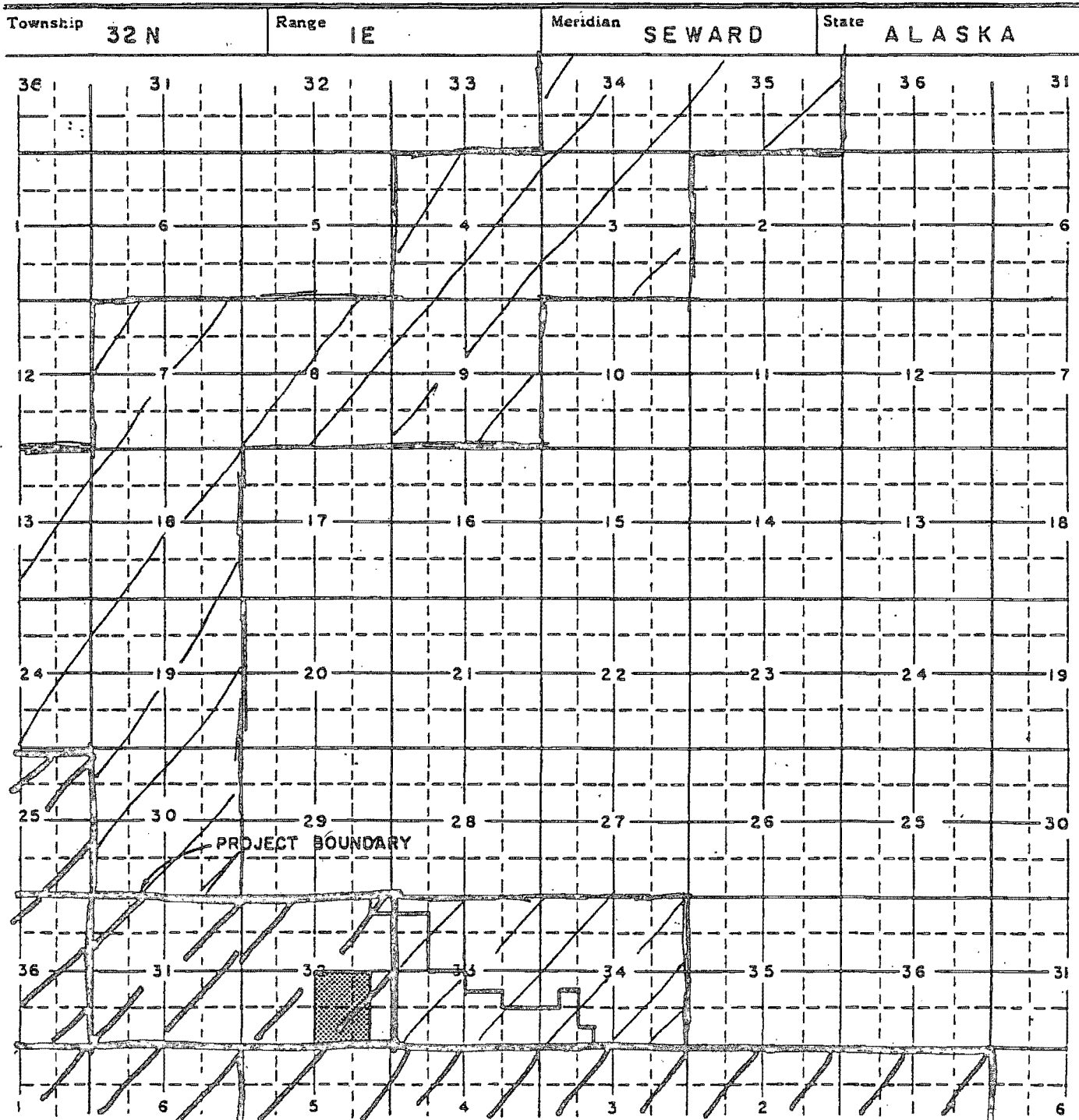
W $\frac{1}{2}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, T.32N., R.1E.,
Seward Meridian, Alaska.

Containing 120 acres, more or less.

In Accordance with Exhibit A

ACRES

TOWNSHIP DIAGRAM*



16# 285 2-11-80

1C # 2-20-83

1C # 7-31-83

LEGAL DESCRIPTION

WATANA DAMSITE

- : A single parcel of land located in Central Alaska, encompassing a portion of the Susitna River at approximate geographic latitude of 62°49'22" and longitude of 148°32'10", being more particularly described as follows:

T.32N., R.5E., SEWARD MERIDIAN, ALASKA

Section 28: $S\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}$

Section 32: $SE\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}NE\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$

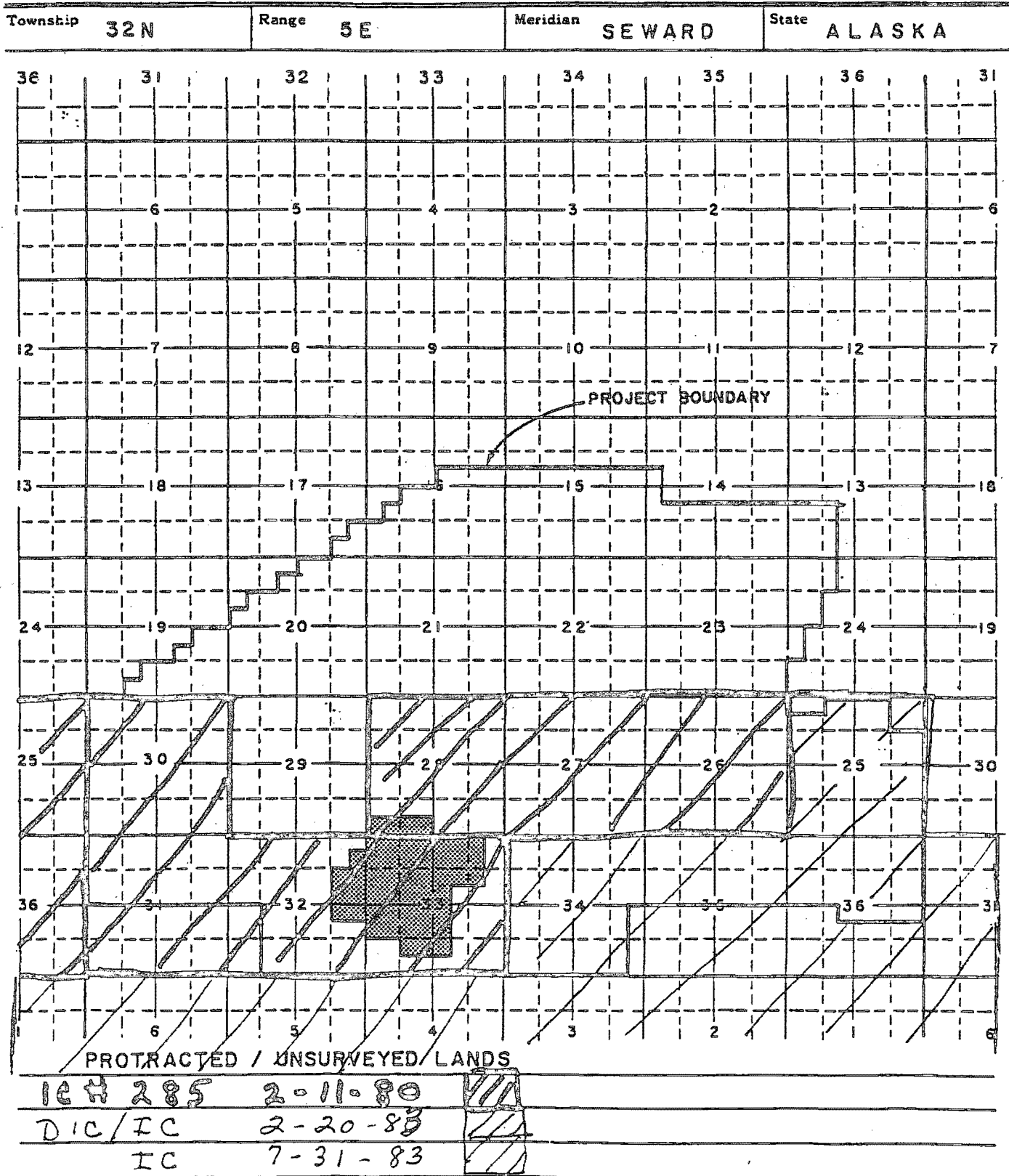
Section 33: $W\frac{1}{2}NE\frac{1}{4}NE\frac{1}{4}$, $NW\frac{1}{4}NE\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$,
 $NW\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$, $W\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}SE\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$,
 $N\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}$, $NW\frac{1}{4}$

Containing 500 acres, more or less.

In Accordance with Exhibit A



TOWNSHIP DIAGRAM *



T.32N., R.1W., SEWARD MERIDIAN, ALASKA

Section 34: $E\frac{1}{2}SE\frac{1}{2}$

Section 35: $S\frac{1}{2}$

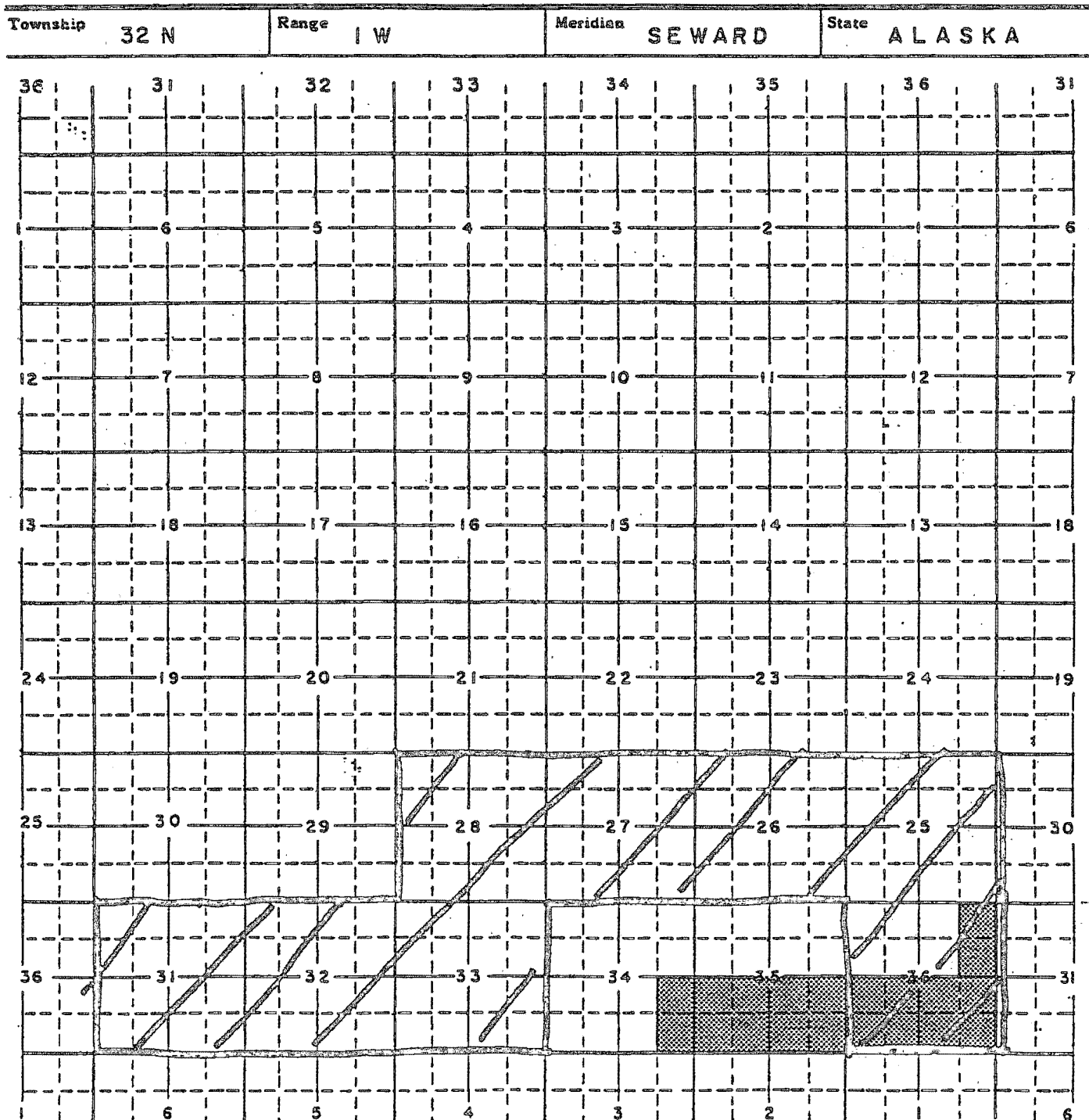
Section 36: $E\frac{1}{2}NE\frac{1}{4}, S\frac{1}{2}$

In Accordance with Exhibit B

EXHIBIT B



TOWNSHIP DIAGRAM*



PROTRACTED / UNSURVEYED LANDS

T.31N., R.1E., SEWARD MERIDIAN, ALASKA

- Section 1: $S\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$,
 $N\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$,
 $S\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$
- Section 2: $SE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}SE\frac{1}{4}$,
 $SW\frac{1}{4}SE\frac{1}{4}$, $SW\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$
- Section 3: $S\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NE\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}SE\frac{1}{4}$,
 $N\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}SE\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}$, $NW\frac{1}{4}$,
 $NW\frac{1}{4}NW\frac{1}{4}NE\frac{1}{4}$
- Section 4: $N\frac{1}{2}NE\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}$, $W\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}$,
 $N\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$
- Section 5: ALL
- Section 6: ALL
- Section 7: ALL
- Section 8: ALL
- Section 9: $W\frac{1}{2}SW\frac{1}{4}$, $W\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}$, $W\frac{1}{2}NW\frac{1}{4}$, $W\frac{1}{2}NE\frac{1}{4}NW\frac{1}{4}$,
 $W\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$
- Section 10: $NE\frac{1}{4}NE\frac{1}{4}NE\frac{1}{4}$
- Section 11: $N\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}$
- Section 16: $W\frac{1}{2}NE\frac{1}{4}NW\frac{1}{4}$, $NW\frac{1}{4}NW\frac{1}{4}$

Section 17: $N\frac{1}{2}NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}$

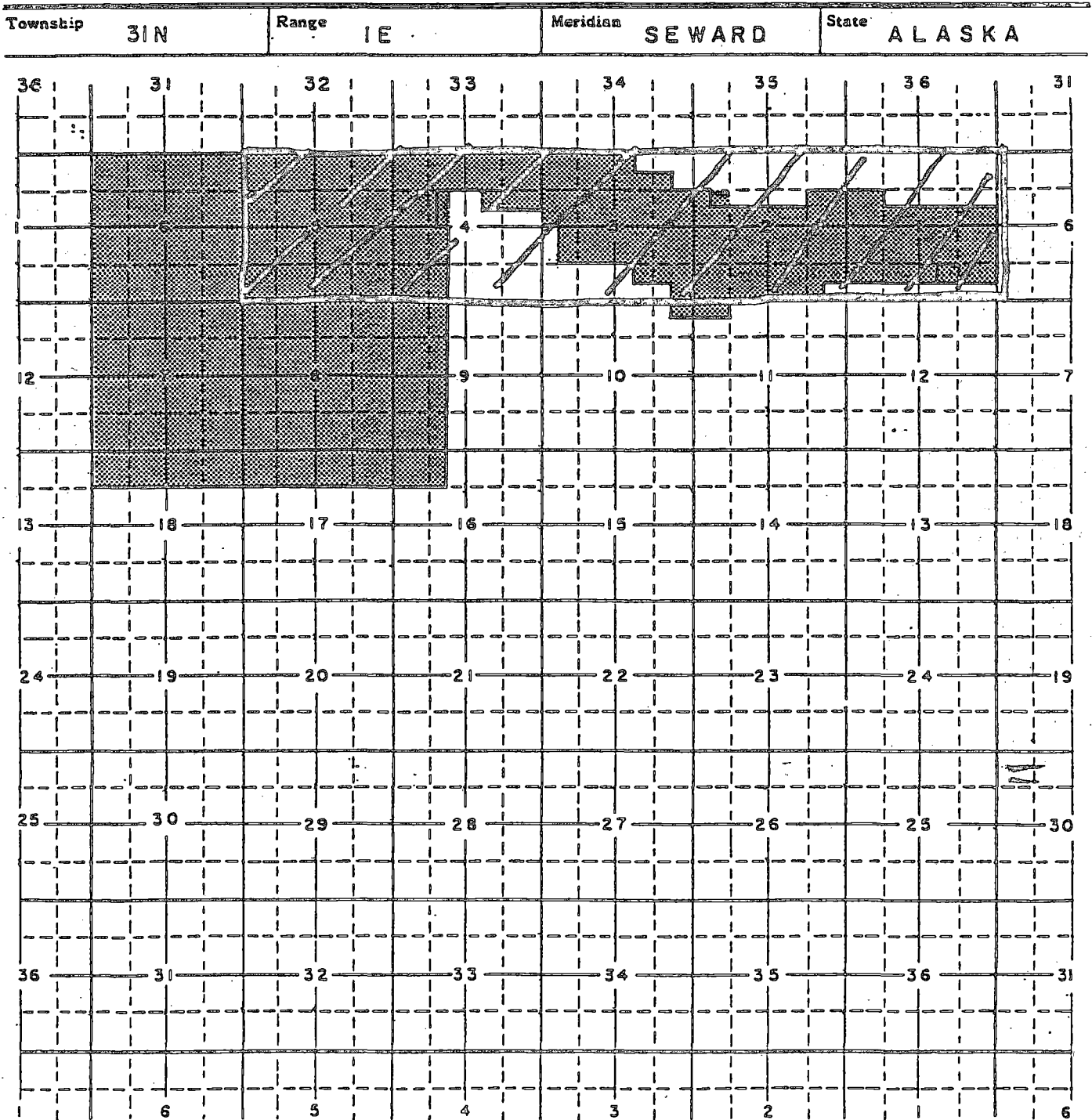
Section 18: $N\frac{1}{2}NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}$

In Accordance with Exhibit C

EXHIBIT C



TOWNSHIP DIAGRAM *



PROTRACTED / UNSURVEYED LANDS

T.32N., R.1E., SEWARD MERIDIAN, ALASKA

Section 31: ALL

Section 32: ALL EXCLUDING NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$

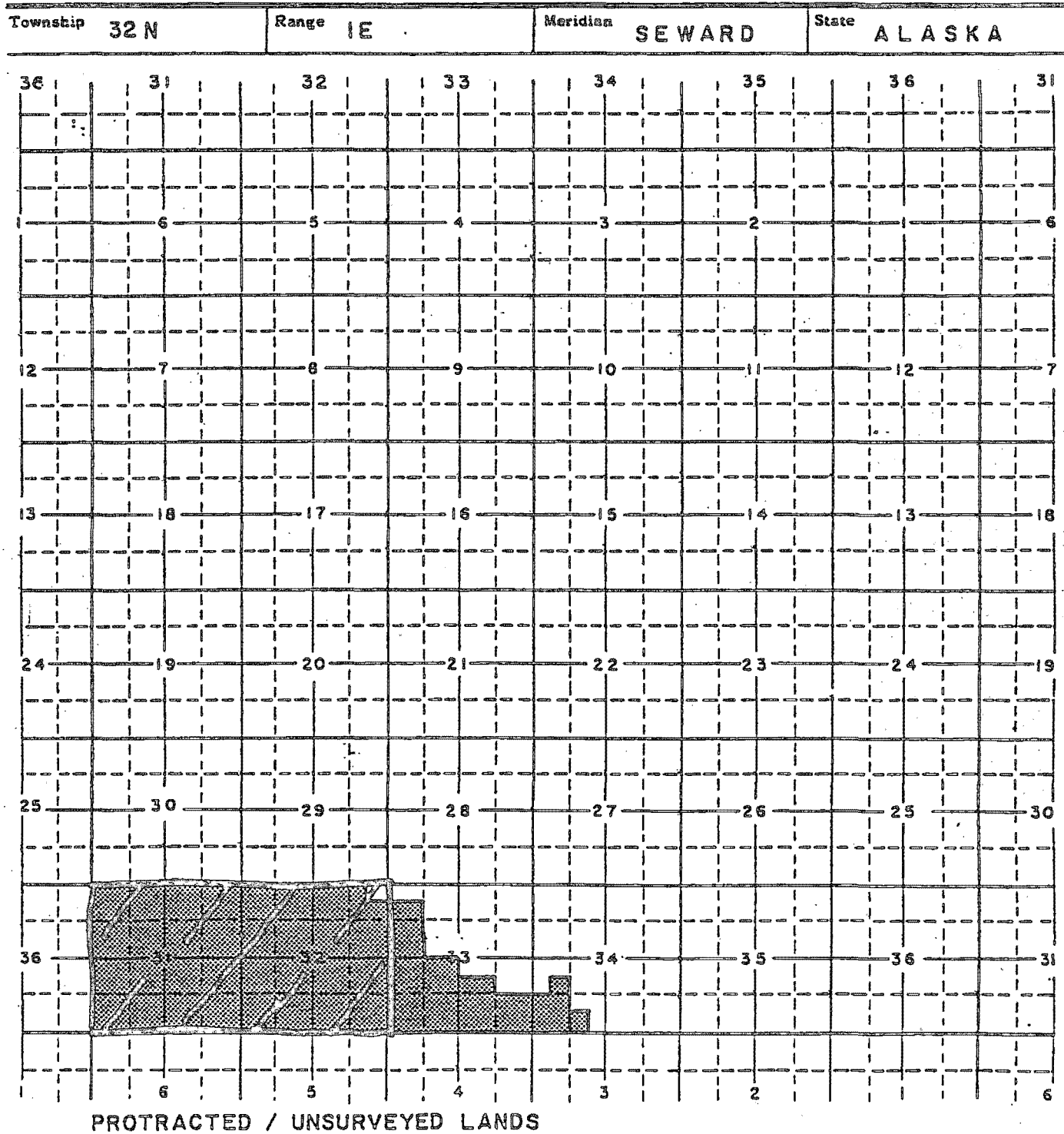
Section 33 S $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 34 SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$

In Accordance with Exhibit D

ACRES

TOWNSHIP DIAGRAM*

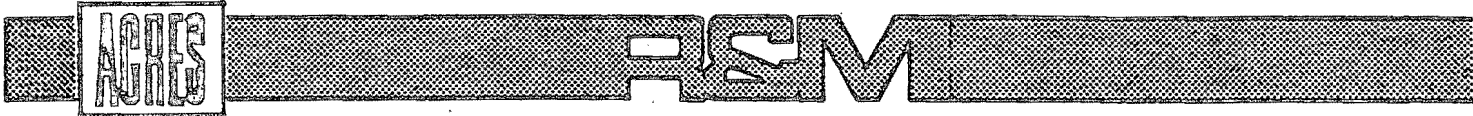


T.31N., R.2E., SEWARD MERIDIAN, ALASKA

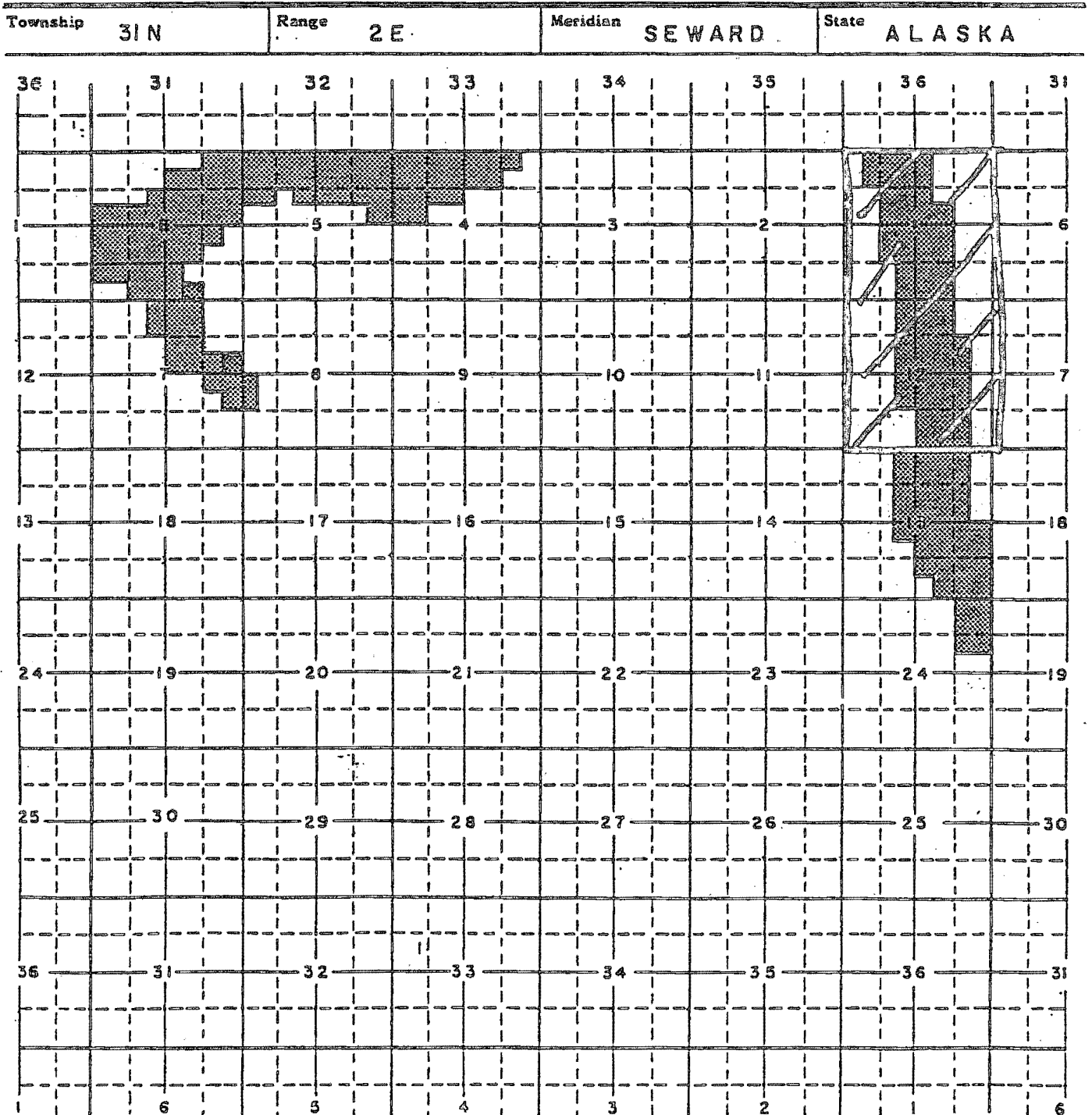
- Section 1: $W\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$,
 $E\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}$
- Section 4: $NW\frac{1}{4}NE\frac{1}{4}NE\frac{1}{4}$, $NW\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$
- Section 5: $E\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}$,
 $NE\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}$
- Section 6: $E\frac{1}{2}NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$, $NW\frac{1}{4}NE\frac{1}{4}SE\frac{1}{4}$,
 $W\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}$,
 $S\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}SE\frac{1}{4}$
- Section 7: $W\frac{1}{2}NE\frac{1}{4}$, $E\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$, $NW\frac{1}{4}NE\frac{1}{4}SE\frac{1}{4}$, $E\frac{1}{2}NE\frac{1}{4}NW\frac{1}{4}$,
 $S\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$
- Section 8: $W\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}$
- Section 12: $W\frac{1}{2}NE\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$, $W\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$,
 $E\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}$, $E\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}NE\frac{1}{4}NW\frac{1}{4}$
- Section 13: $W\frac{1}{2}NE\frac{1}{4}$, $W\frac{1}{2}NE\frac{1}{4}NE\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}SE\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$,
 $N\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}SE\frac{1}{4}$, $NE\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$, $E\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$,
 $E\frac{1}{2}NE\frac{1}{4}NW\frac{1}{4}$
- Section 24: $NE\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$

In Accordance with Exhibit E

EXHIBIT E



TOWNSHIP DIAGRAM*



PROTRACTED / UNSURVEYED LANDS

T.32N., R.2E., SEWARD MERIDIAN, ALASKA

Section 27: $E\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}$, $W\frac{1}{2}NE\frac{1}{4}NE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$,
 $W\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$

Section 31: $SE\frac{1}{4}SE\frac{1}{4}SE\frac{1}{4}$

Section 32: $S\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}SE\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}$,
 $W\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$

Section 33: $NE\frac{1}{4}NE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NE\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}NE\frac{1}{4}$,
 $E\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}SW\frac{1}{4}$,
 $SE\frac{1}{4}SW\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$

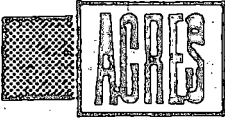
Section 34: $NE\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}$,
 $NE\frac{1}{4}NW\frac{1}{4}NE\frac{1}{4}$, $W\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}$, $NW\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$

Section 35: $SE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}SE\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$,
 $NE\frac{1}{4}SW\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}NW\frac{1}{4}$,
 $W\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}$

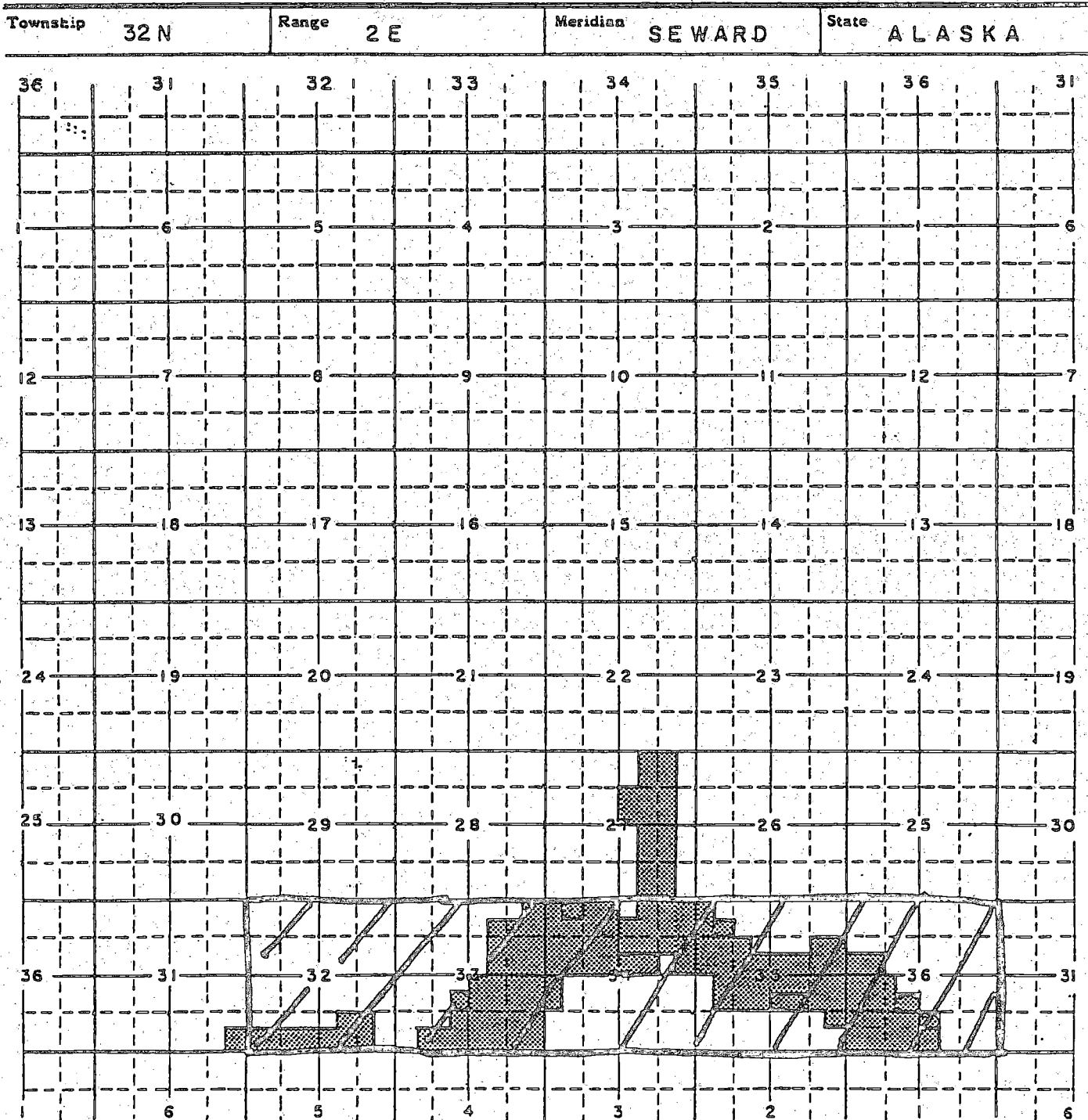
Section 36: $W\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}$, $W\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}$,
 $SE\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$

In Accordance with Exhibit F

EXHIBIT F



TOWNSHIP DIAGRAM*



PROTRACTED / UNSURVEYED LANDS

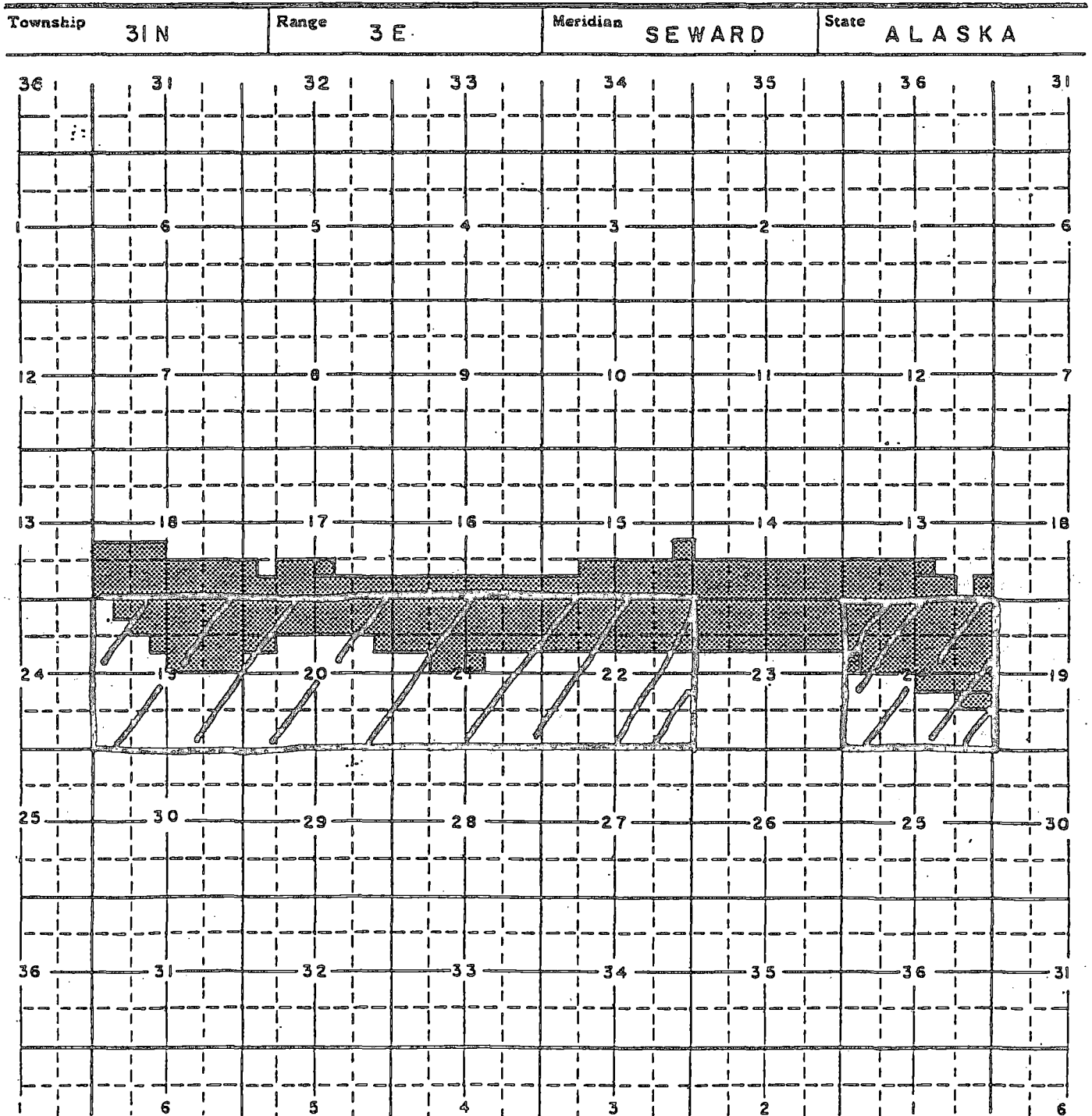
T.31N., R.3E., SEWARD MERIDIAN, ALASKA

- Section 13: $SE\frac{1}{4}SE\frac{1}{4}SE\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}SE\frac{1}{4}$
- : Section 14: $S\frac{1}{2}SE\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}$
- Section 15: $SE\frac{1}{4}NE\frac{1}{4}SE\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$
- Section 16: $S\frac{1}{4}SE\frac{1}{4}SE\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$
- Section 17: $S\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}SE\frac{1}{4}$,
 $S\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}SW\frac{1}{4}$
- Section 18: $S\frac{1}{2}SE\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}$, $S\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}$
- Section 19: $NE\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}NW\frac{1}{4}$
- Section 20: $N\frac{1}{2}NE\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}$
- Section 21: $N\frac{1}{2}NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$,
 $N\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$
- Section 22: $N\frac{1}{2}NE\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}$,
 $N\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$
- Section 23: $N\frac{1}{2}NW\frac{1}{4}$, $N\frac{1}{2}NE\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}$,
 $N\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$
- Section 24: $NE\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}$, $NW\frac{1}{4}$

In Accordance with Exhibit G



TOWNSHIP DIAGRAM*



PROTRACTED / UNSURVEYED LANDS

T.31N., R.4E., SEWARD MERIDIAN, ALASKA

Section 2: $N\frac{1}{2}NE\frac{1}{4}NW\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}NW\frac{1}{4}$, $NW\frac{1}{4}NW\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}$

Section 3: $E\frac{1}{2}NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$,
 $S\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}$, $NE\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}NE\frac{1}{4}$

Section 9: $E\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$

Section 10: $NW\frac{1}{4}NE\frac{1}{4}$, $W\frac{1}{2}NE\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$,
 $W\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}$, $SW\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}NW\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$

Section 15: $NW\frac{1}{4}SE\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$, $W\frac{1}{2}NW\frac{1}{4}$, $NW\frac{1}{4}NE\frac{1}{4}NW\frac{1}{4}$.

Section 16: $E\frac{1}{2}NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}NE\frac{1}{4}$,
 $SE\frac{1}{4}SW\frac{1}{4}$, $E\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}$

Section 18: $S\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$

Section 19: $S\frac{1}{2}NE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NE\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$,
 $SE\frac{1}{4}SE\frac{1}{4}SE\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$, $NW\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}SE\frac{1}{4}$

Section 20: $SW\frac{1}{4}NE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NE\frac{1}{4}$, $S\frac{1}{2}$, $S\frac{1}{2}NW\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}$,
 $S\frac{1}{2}NE\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}$

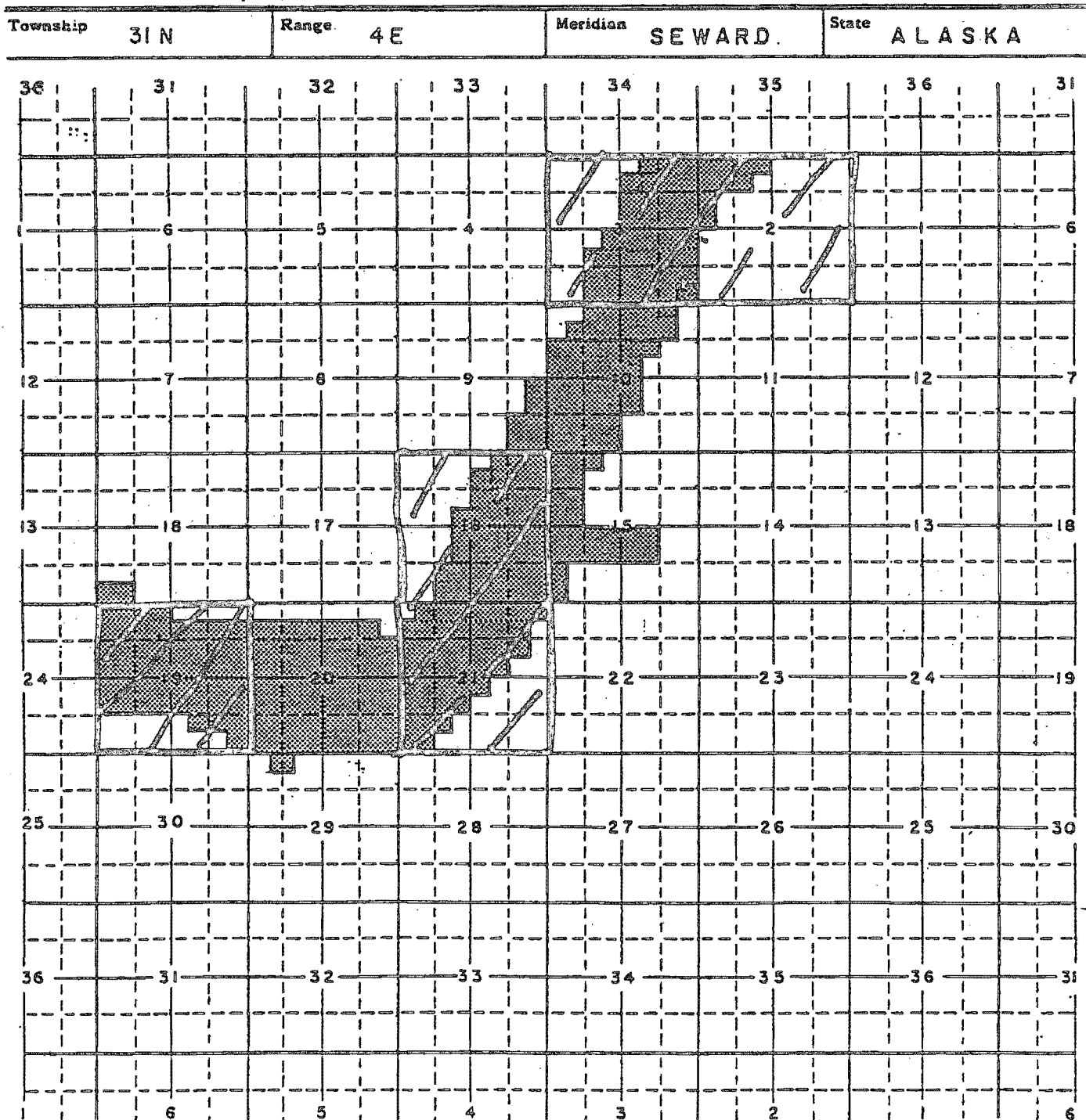
Section 21: $W\frac{1}{2}NE\frac{1}{4}$, $N\frac{1}{2}NE\frac{1}{4}NE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$,
 $NE\frac{1}{4}NW\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}$, $NW\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$,
 $SW\frac{1}{4}SW\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}SW\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$

Section 29: $NE\frac{1}{4}NW\frac{1}{4}NW\frac{1}{4}$, $NW\frac{1}{4}NE\frac{1}{4}NW\frac{1}{4}$

In Accordance with Exhibit H



TOWNSHIP DIAGRAM*



PROTRACTED / UNSURVEYED LANDS

T.32N., R.4E., SEWARD MERIDIAN, ALASKA

Section 25: $S\frac{1}{2}NE\frac{1}{4}$, $S\frac{1}{2}NE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}$

Section 26: $S\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}$, $E\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}$,
 $SW\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}SW\frac{1}{4}$

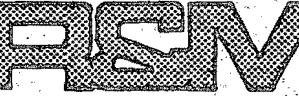
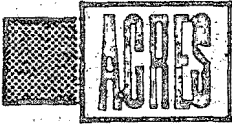
Section 34: $E\frac{1}{4}SE\frac{1}{4}$, $SE\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}NE\frac{1}{4}NE\frac{1}{4}$

Section 35: $N\frac{1}{2}$, $SW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}SE\frac{1}{4}$,
 $SW\frac{1}{4}SW\frac{1}{4}SE\frac{1}{4}$

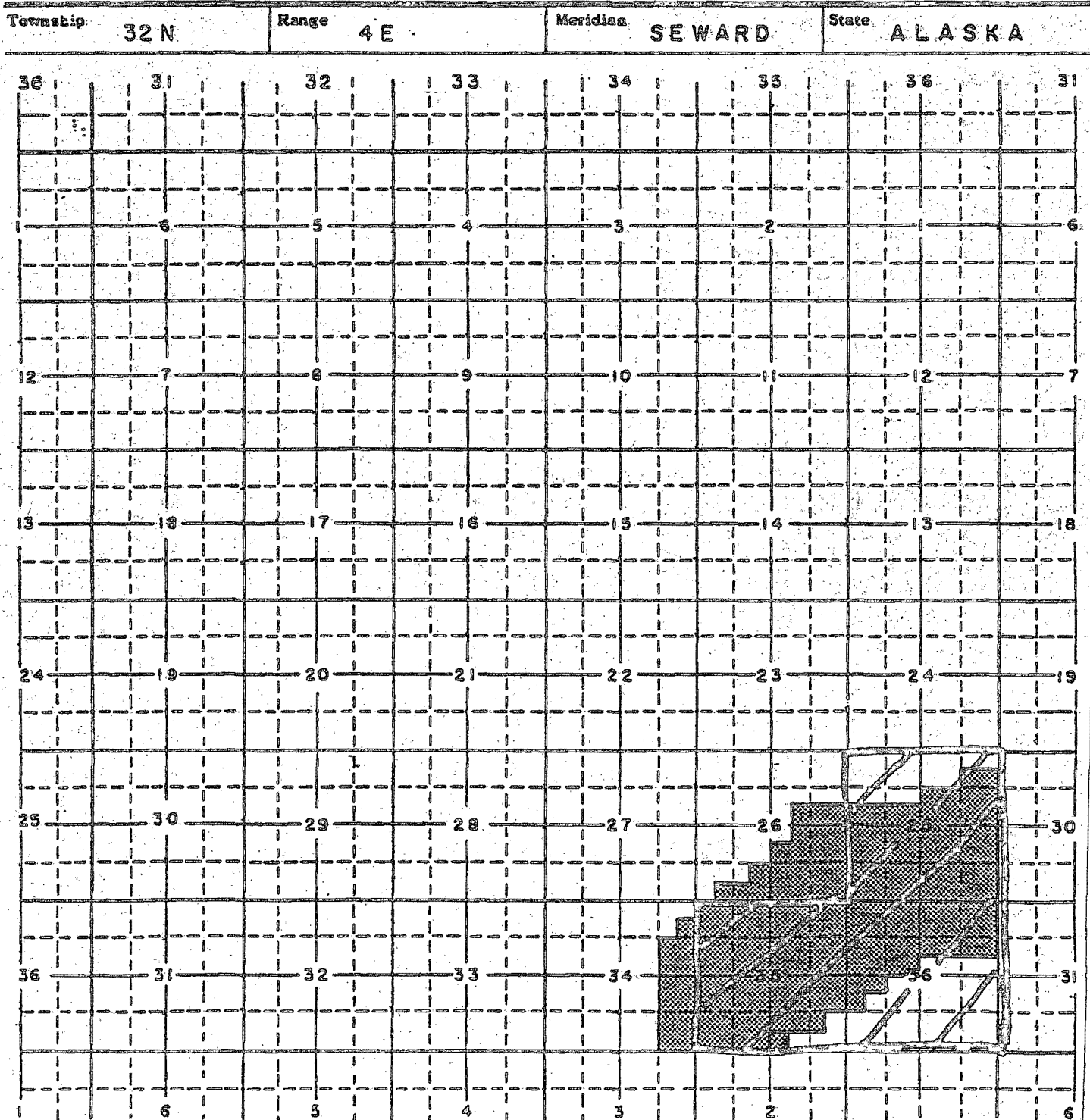
Section 36: $N\frac{1}{2}NE\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}$,
 $SW\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}$, $NW\frac{1}{4}$

In Accordance with Exhibit I

EXHIBIT I



TOWNSHIP DIAGRAM*



PROTRACTED / UNSURVEYED LANDS

T.32N., R.5E., SEWARD MERIDIAN, ALASKA

Section 13: $SW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$, $W\frac{1}{4}SE\frac{1}{4}SW\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}$

Section 14: $S\frac{1}{4}NE\frac{1}{4}SE\frac{1}{4}$, $S\frac{1}{4}SE\frac{1}{4}$, $S\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}$, $S\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$,
 $S\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}$, $NW\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}NW\frac{1}{4}$

Section 15: $S\frac{1}{4}$, $S\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{4}SW\frac{1}{4}NW\frac{1}{4}$

Section 16: $SE\frac{1}{4}$, $S\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{4}SW\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}$,
 $SE\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}$

Section 17: $S\frac{1}{4}SE\frac{1}{4}SE\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}SE\frac{1}{4}$

Section 19: $E\frac{1}{4}SE\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}$, $S\frac{1}{4}SE\frac{1}{4}SW\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}SW\frac{1}{4}$

Section 20: $S\frac{1}{4}$, $NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $SE\frac{1}{4}NE\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{4}SW\frac{1}{4}NW\frac{1}{4}$,
 $NE\frac{1}{4}SW\frac{1}{4}NW\frac{1}{4}$

Section 21: ALL

Section 22: ALL

Section 23: ALL

Section 24: $W\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}$, $W\frac{1}{4}NW\frac{1}{4}$, $W\frac{1}{4}NE\frac{1}{4}NW\frac{1}{4}$

Section 25: $S\frac{1}{4}$, $S\frac{1}{4}NW\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{4}NW\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{4}NE\frac{1}{4}$, $NW\frac{1}{4}NE\frac{1}{4}$

Section 26: ALL

Section 27: ALL

Section 28: ALL

Section 29: ALL

Section 30: ALL

Section 31: $N\frac{1}{2}$

Section 32: $E\frac{1}{2}$, $NW\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$

Section 33: ALL

Section 34: $N\frac{1}{2}$, $SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$, $W\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$

Section 35: $N\frac{1}{2}$

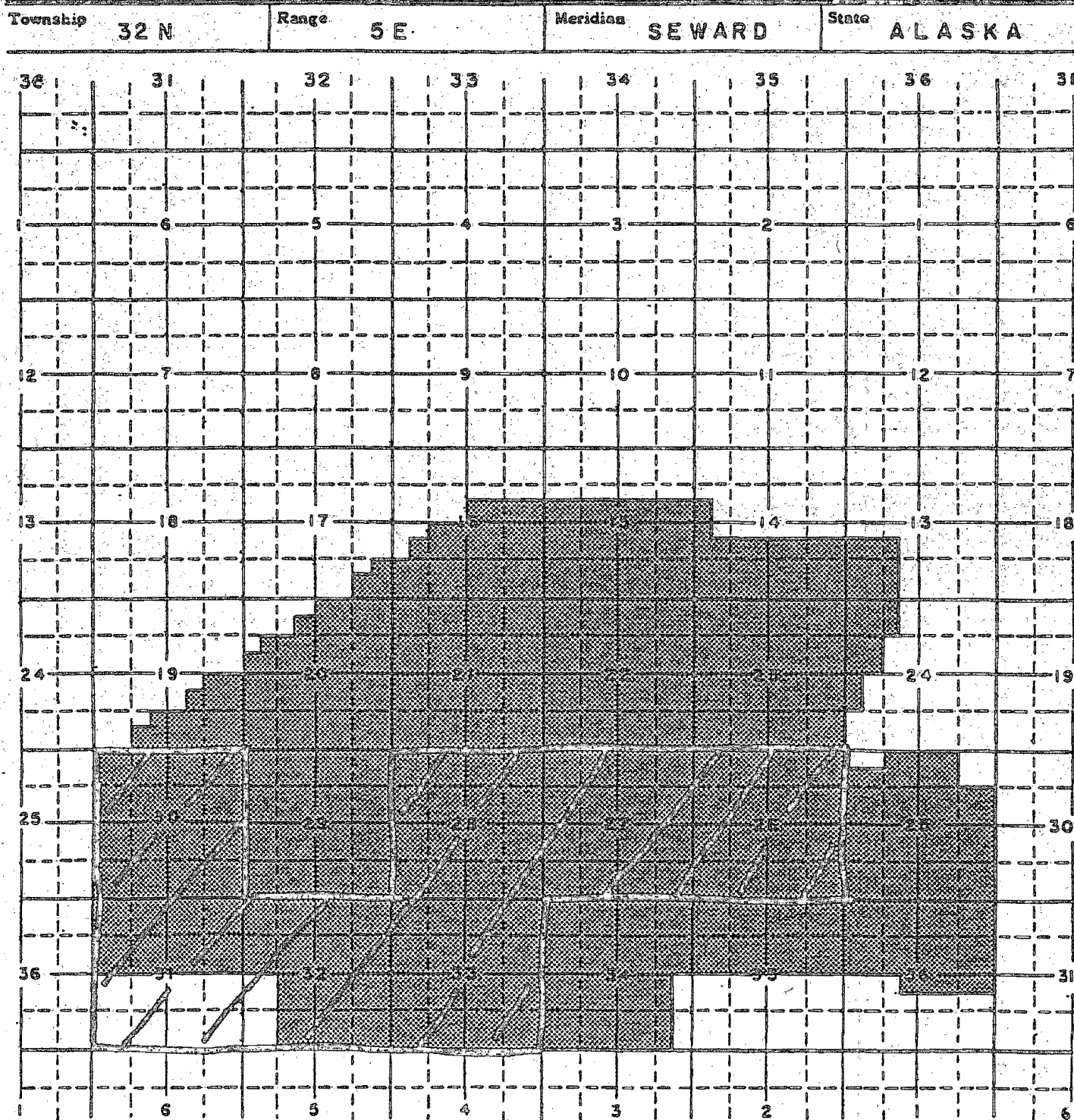
Section 36: $N\frac{1}{2}$, $NE\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}$, $N\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$

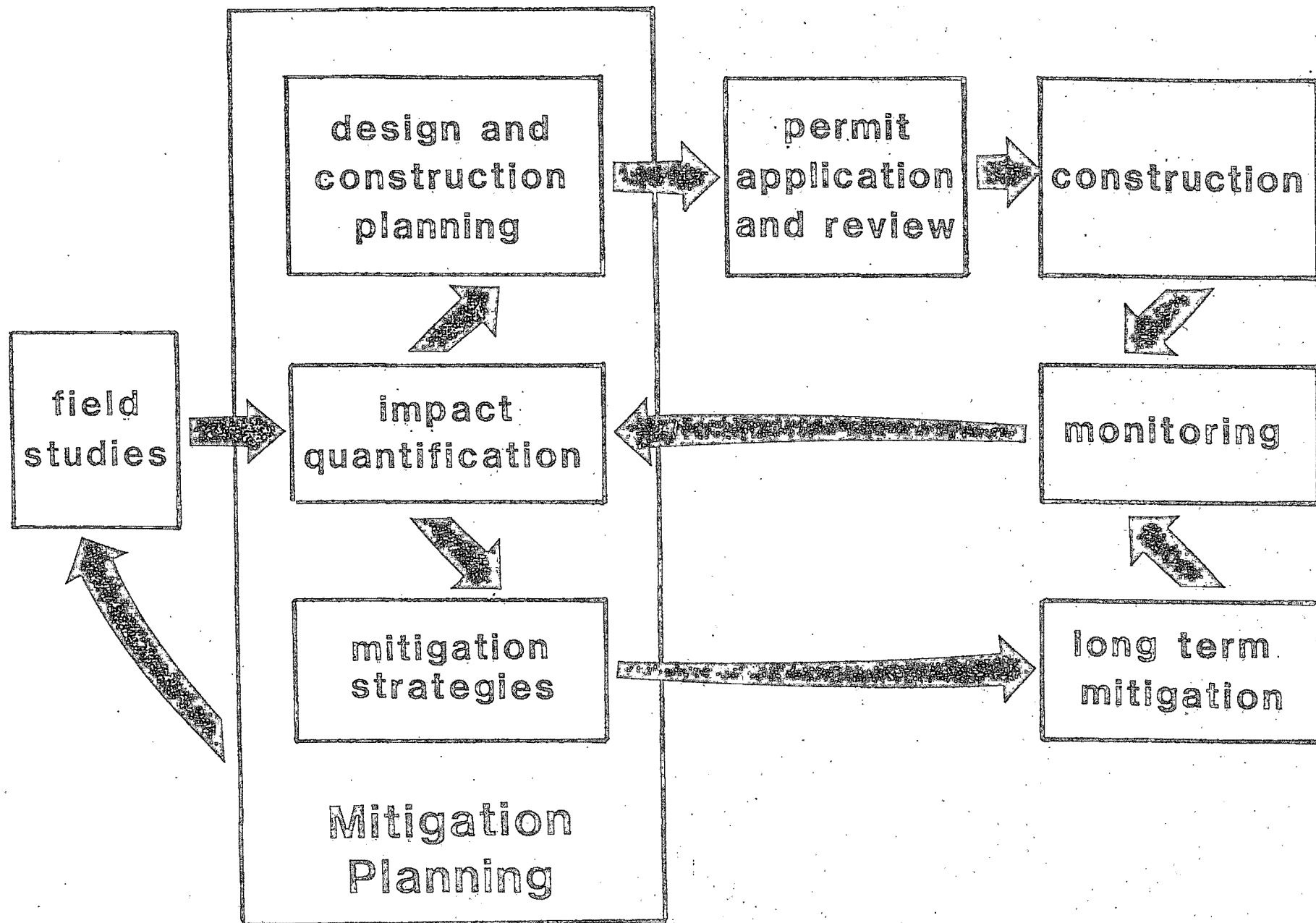
In Accordance with Exhibit K

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ACRES

TOWNSHIP DIAGRAM*





STATEWIDE CULTURAL ASSISTANCE PROGRAM

16 USC 3206.

16 USC 461.

AL 1001

1001

Sec. 1318. In furtherance of the national policy set forth in the first section of the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935 (49 Stat. 666), and in furtherance of the need to protect and interpret for the public benefit cultural and archeological resources and objects of national significance relating to prehistoric and historic human use and occupation of lands and waters in Alaska, the Secretary may, upon the application of a Native Corporation or Native Group, provide advice, assistance, and technical expertise to the applicant in the preservation, display, and interpretation of cultural resources, without regard as to whether title to such resources is in the United States. Such assistance may include making available personnel to assist in the planning, design, and operation of buildings, facilities, and interpretive displays for the public and personnel to train individuals in the identification, recovery, preservation, demonstration, and management of cultural resources.

EFFECT ON EXISTING RIGHTS

16 USC 3207.

1001

1001

1001

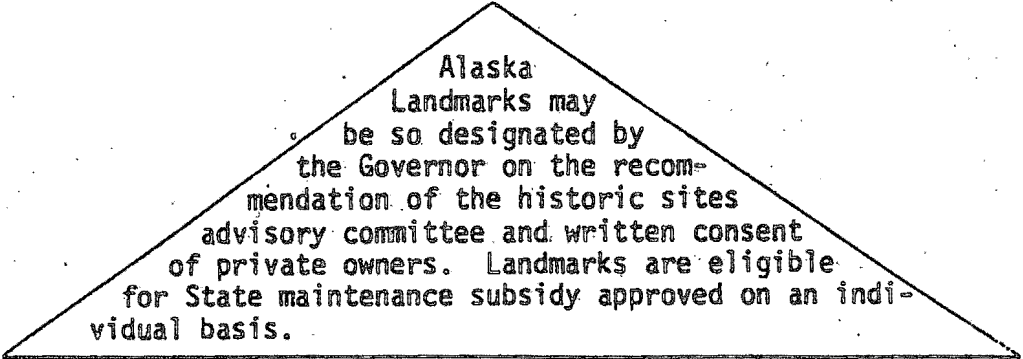
Sec. 1319. Nothing in this Act shall be construed as limiting or restricting the power and authority of the United States or—

(1) as affecting in any way any law governing appropriation or use of, or Federal right to, water on lands within the State of Alaska;

(2) as expanding or diminishing Federal or State jurisdiction, responsibility, interests, or rights in water resources development or control; or

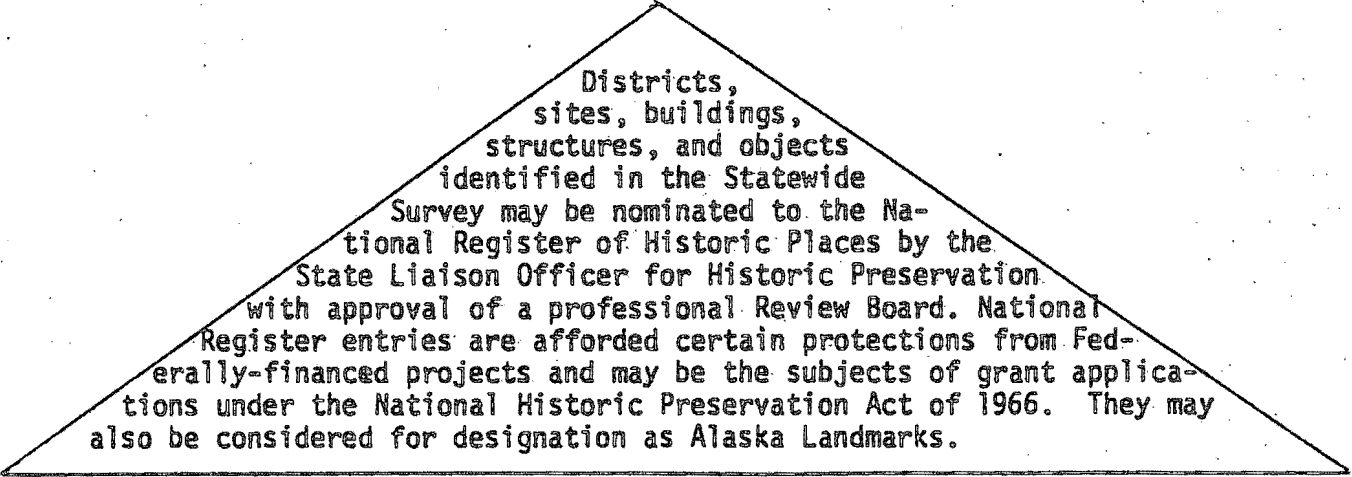
(3) as superseding, modifying, or repealing, except as specifically set forth in this Act, existing laws applicable to the various Federal agencies which are authorized to develop or participate in the development of water resources or to exercise licensing or regulatory functions in relation thereto.

THE ALASKA LANDMARKS REGISTER



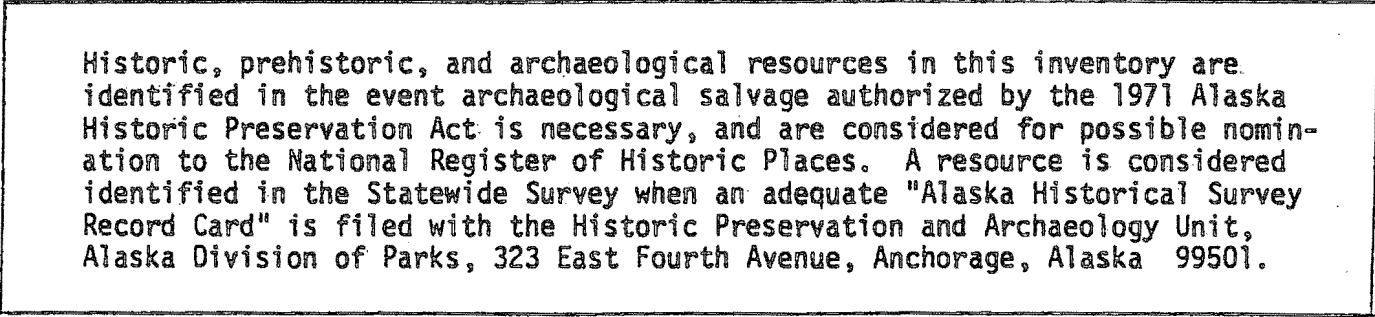
Alaska Landmarks may be so designated by the Governor on the recommendation of the historic sites advisory committee and written consent of private owners. Landmarks are eligible for State maintenance subsidy approved on an individual basis.

THE NATIONAL REGISTER OF HISTORIC PLACES



Districts, sites, buildings, structures, and objects identified in the Statewide Survey may be nominated to the National Register of Historic Places by the State Liaison Officer for Historic Preservation with approval of a professional Review Board. National Register entries are afforded certain protections from Federally-financed projects and may be the subjects of grant applications under the National Historic Preservation Act of 1966. They may also be considered for designation as Alaska Landmarks.

THE STATEWIDE SURVEY OF HISTORIC AND PREHISTORIC RESOURCES



Historic, prehistoric, and archaeological resources in this inventory are identified in the event archaeological salvage authorized by the 1971 Alaska Historic Preservation Act is necessary, and are considered for possible nomination to the National Register of Historic Places. A resource is considered identified in the Statewide Survey when an adequate "Alaska Historical Survey Record Card" is filed with the Historic Preservation and Archaeology Unit, Alaska Division of Parks, 323 East Fourth Avenue, Anchorage, Alaska 99501.

Table 1 Cultural Resources Located Between June and July, 1980

Site Number	USGS Map (Talkeetna Mts.)	Location
UA-80-68	C2	T 30N, R 8E
* UA-80-69	D4	T 32N, R 4E
* UA-80-70	D4	T 32N, R 4E
* UA-80-71	D4	T 32N, R 4E
UA-80-72	D3	T 31N, R 6E
UA-80-73	C1	T 30N, R 11
* UA-80-74	D4	T 31N, R 4E
UA-80-75	C1	T 30N, R 12E
* UA-80-76	D5	T 31N, R 4E,
* UA-80-77	D4	T 31N, R 4E,
UA-80-78	D3	T 31N, R 7E,
UA-80-79	D3	T 31N, R 8E,
* UA-80-80	D3	T 31N, R 5E,
* UA-80-141	D4	T 31N, R 4E,
* UA-80-142	D4	T 32N, R 5E,
UA-80-143	D2	T 31N, R 8E,
UA-80-144	D3	T 31N, R 8E,

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B. Richard
 7-23-81

* identified as being an active land.

Table 1 Cultural Resources Located Between June and July, 1980

Site Number	USGS Map (Talkeetna Mts.)	Location
UA-80-68	C2	T 30N, R 8E, SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, S 5
* UA-80-69	D4	T 32N, R 4E, SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, S 36
* UA-80-70	D4	T 32N, R 4E, SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, S 36
* UA-80-71	D4	T 32N, R 4E, SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, S 36
UA-80-72	D3	T 31N, R 6E, NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, S 2
UA-80-73	C1	T 30N, R 11E, NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, S 32
* UA-80-74	D4	T 31N, R 4E, NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, S 3
UA-80-75	C1	T 30N, R 12E, SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, S 17
* UA-80-76	D5	T 31N, R 4E, SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, S 3
* UA-80-77	D4	T 31N, R 4E, SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, S 15
UA-80-78	D3	T 31N, R 7E, NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, S 5
UA-80-79	D3	T 31N, R 8E, SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, S 6
* UA-80-80	D3	T 31N, R 5E, SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, S 7
* UA-80-141	D4	T 31N, R 4E, NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, S 21
* UA-80-142	D4	T 32N, R 5E, SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, S 30
UA-80-143	D2	T 31N, R 8E, NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, S 5
UA-80-144	D3	T 31N, R 8E, SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, S 5

* identified as being on native land.

ALASKA HISTORICAL SURVEY RECORD CARD

1. Name of Site	2. Nature of Site
3. Location	4. Pertinent Dates
5. Description (dimensions, present condition, significant features, <u>etc.</u>)	
6. Significance	
7. Danger of Demolition or Damage	
8. Printed, Manuscript, or Photographic Records	
9. Owner of Property (include address)	10. Date of Report

10-521
June 1971

EXPLANATION OF ITEMS

1. Enter common name, also any other names site is known by.
2. Is it a district, site, building, structure, or object?
3. Locate the item as exactly as possible. If in a surveyed townsite, give lot number. If not, locate it on a map and attach map.
4. Give date of construction or dates of significant events associated with subject.
5. Describe subject in as much detail as possible. Include sketches, diagrams, photographs.
6. Tell why this site is significant in National, State, or local history.
7. Report any immediate or potential danger to this site.
8. Enter any source material important in your research of the site.
9. Give name and address of property owner.
10. Give current date.
11. Enter your name, address, and telephone number. Indicate organization or institutional affiliation.

11.

Historic Site Survey
Alaska Division of Parks
323 E. Fourth Avenue
Anchorage, Alaska 99501

(Figure 3)

EVALUATION OF HISTORIC AND PREHISTORIC RESOURCES

NOMINATION:

Check one or more categories in Section I or II

I. <u>Criteria of Evaluation</u>	Eligible	Comment
The quality of <u>significance</u> in American history, architecture, archeology, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:		
(A) that are associated with events that have made a significant contribution to the broad patterns of our history; or		
(B) that are associated with the lives of persons significant in our past; or		
(C) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or		
(D) that have yielded, or may be likely to yield, information important in pre-history or history.		
II. <u>Criteria Considerations</u>		
Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past fifty years shall not be considered eligible for the NATIONAL REGISTER. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:		
(A) a religious property deriving primary significance from architectural or artistic distinction or historical importance; or		
(B) a building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or		
(C) a birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his productive life; or		
(D) a cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or		
(E) a reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or		
(F) a property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance; or		
(G) a property achieving significance within the past fifty years if it is of exceptional importance.		

LEVEL OF SIGNIFICANCE:

National ☐

State ☐

Local ☐

(Date)

(Board Member's Signature)

FIELD SITE NO.: _____
SURVEY LOCALE NO.: _____
AHRS NO.: _____

SUSITNA HYDROPOWER PROJECT

I. SITE LOCATION

- A. USGS QUAD: Ta'keetna Mountains _____ Scale: 1:63,360
- B. AIR PHOTO REFERENCE: Roll _____ Frames _____
- C. TWP _____, RNG _____, Seward Meridian
_____ $\frac{1}{2}$ of the _____ $\frac{1}{2}$ of the _____ of Section _____
- D. UTM: Zone 6 Easting _____ Northing _____
- E. LATITUDE: _____ ° _____ ' _____ " LONGITUDE: _____ ° _____ ' _____ "
- F. GEOLOGICAL UNIT: _____ No. _____
- G. REGION: Devil Canyon _____ Watana _____ Other: _____

II. ENVIRONMENT:

- A. Site morphology. (See back of form for information required.)

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or printed text on the paper.

- B. Surrounding terrain morphology. (See back of form for information required.)

[illegible]

FIELD SITE NO.: _____

C. Ecosystem. (See back of sheet for descriptions.)

1. _____ Moist Tundra _____ High Brush _____ Other: _____
_____ Lowland spruce-hardwood _____ Upland spruce-hardwood

2. Site vegetation and surface description:

3. Vegetation in surrounding area and surface description:

III. SITE:

A. Description:

1. Characteristics. (lithic scatter, stratified site, cabin, etc.)

number of shovel tests

number of test pits

(indicate on map)

2. Number, size and spatial relationship of features, etc.

3. Stratigraphy (if relevant):

FIELD SITE NO.: _____

B. Artifact inventory.

1. Surface:

a. Artifacts collected:

b. Artifacts observed but not collected:

2. Systematically excavated artifacts:

C. Period: _____ Unknown _____ Precontact
_____ Historic: Native _____ Non-Native _____

D. Size:

1. Observed Size: _____ x _____ meters

Justification for boundaries:

2. Estimated Size: _____ x _____ meters

Justification for boundaries:

E. Site disturbance (current and anticipated). Indicate expected effect of the hydroelectric project on the site.

1. Natural: _____

2. Human: _____

F. What prompted you to survey this location?

IV. PHOTOGRAPHIC RECORD:

Content

Site ID with date and Crew

A. Names : _____

B. Date(s) visited: _____

VI. Field Recommendation for further testing:

II. A. Site morphology.

1. What terrain feature is the site on: flat plain, sloping plain, continuous ridge, hill, point, shoreline, terrace, valley, etc.
2. What is the topographic context:
 - a. no topographic relief relative to surrounding terrain, higher topographic relief than surrounding terrain, lower topographic relief than surrounding terrain.
 - b. give elevation: 1) above sea level; 2) Relative to surrounding terrain.
3. Is the terrain feature continuous or discrete?
4. What is the size, shape and direction of this feature?
5. What is the relative position of the site on this feature?
6. Field of view:
 - a. direction and range of view;
 - b. what is in view?
 - c. would a change in the present vegetation increase or decrease view? How?
7. Describe any special attributes that make this site location unique.
8. Are there other settings similar to that of this site in the unit? Where?

II. B. Surrounding terrain morphology.

Describe surrounding landforms and water features in relation to the site. What is the direction, distance and difference in elevation of surrounding features? The following characteristics should provide a guide:

1. Streams and rivers:
 - a. proximity to site
 - b. access from site
 - c. are any in view from site?
 - d. has downcutting created valley wall constriction in this area?
 - e. is stream or river (1) shallow with rapids and sandbars, or (2) deep and smooth in this vicinity, etc.
 - f. is water clear or turbid?
 - g. what is the general width in this vicinity?
 - h. is terracing present?
 - i. in this area is the river course:
 1. straight;
 2. bending;
 3. serpentine.
 - j. are confluences with other streams or rivers nearby? How far?
 - k. what kind of terrain does this stream or river drain? (lakes, hills, marsh)
2. Lakes:
 - a. size in hectares using template.
 - b. inlet present? outlet present?
 - c. single lake or part of lake system?
 - d. characterize terrain surrounding lake (low, wet, steep, etc.)
 - e. is there any evidence that lake size is changing (vegetation overgrowth, old shorelines, etc.)
 - f. characteristics of shoreline. Old shorelines present?

ECOSYSTEMS LIKELY TO BE ENCOUNTERED IN PROJECT AREA

MOIST TUNDRA: Moist tundra ecosystems usually form a complete ground cover and are extremely productive during the growing season. They vary from almost continuous and uniformly developed cottongrass tussocks with sparse growth of other sedges and dwarf shrubs to stands where tussocks are scarce or lacking and dwarf shrubs are dominant. Associated species are arctagrostis, bluejoint, tufted hairgrass, mosses, alpine azalea, wood rush, mountain-avens, bistort, low-growing willows, dwarf birch, Labrador tea, green alder, Lapland rosebay, blueberry and mountain cranberry.

HIGH BRUSH: These are dense to open deciduous brush systems. Floodplain thickets: The subsystem is similar from the rivers of the southern coastal areas to the broad-braided rivers north of the Brooks Range. It develops quickly on newly exposed alluvial deposits that are periodically flooded. The dominant shrubs are willows and alders. Associated shrubs are dogwood, prickly rose, raspberry, buffaloberry and high bush cranberry. Birch-alder-willow thickets: This subsystem is found near timberline in interior Alaska. It consists of resin birch, American green alder, thinleaf alder and several willow species. Thickets may be extremely dense, or open and interspersed with reindeer lichens, low heath type shrubs, or patches of alpine tundra ecosystems. Other associated species are Sitka alder, bearberry, crowberry, Labrador tea, spirea, blueberry and mountain cranberry.

UPLAND SPRUCE-HARDWOOD FOREST: This ecosystem is a fairly dense interior forest composed of white spruce, birch, aspen and poplar. Black spruce typically grows on north slopes and poorly drained flat areas. Root depths are shallow. Fire scars are common. White spruce averaging 40 to 80 feet in height and up to 16 inches in diameter occurs in mixed stands on south facing slopes and well drained soils; forms pure stands near streams. Aspen and birch average 50 feet in height. Poplar averaging 80 feet in height and 24 inches in diameter occurs in scattered stands along streams. Undergrowth consists of mosses with grasses on drier sites and with brush on moist slopes. Typical plants are willow, alder, ferns, rose, high and low bush cranberry, raspberry, current and horsetail.

LOWLAND SPRUCE-HARDWOOD FOREST: This ecosystem is a dense to open interior lowland forest of evergreen and deciduous trees, including extensive pure stands of black spruce. Black spruce are slow growing and seldom exceed 8 inches in diameter or 50 feet in height. Cones of this tree open after fire and spread abundant seed, enabling black spruce to quickly invade burned areas. The slow-growing stunted tamarack is associated with black spruce in the wet lowlands. It seldom reaches a diameter of more than 6 inches. Rolling basins and knolls in the lowlands have a varied mixture of white spruce, black spruce, paper birch, aspen and poplar. Small bogs and muskegs are found in the depressions. Undergrowth species include willow, dwarf birch, low bush cranberry, blueberry, Labrador tea, crowberry, bearberry, cottongrass, ferns, horsetail, lichens and a thick cover of sphagnum and other mosses. Large areas burned since 1900 are covered by willow brush and very dense black spruce sapling stands.

AFTER: Major Ecosystems of Alaska. Joint Federal-State Land Use Planning Commission for Alaska. July 1973.

Museum Archeology
University of Alaska
Fairbanks, Alaska 99701

This form is intended to insure that three kinds of data for each locale are recorded. These data will guide additional survey, evaluation of areas that may need no further work, and document areas surveyed and tested on-the-ground. If supplementary information to this form is included in fieldnotes, please note this on the form along with your name(s) and field book page number(s).

a. Describe the surface morphology noting topographic features, drainage, soils, variation in surface slope, etc.

[illegible]

III. Identify areas within the locale which may have high archeological potential, based on known site locales from other areas and your field experience, including overlooks, river terrace and bluff edges, lake and stream margins, etc. Describe the location, extent, salient features, and tests (if applicable) for these locales, record these locations on USGS maps.

High archeological potential areas that should be investigated --

IV. Locate on maps where the survey team actually went on-the-ground, and location, number, size, and depth of test pits excavated and natural exposures examined. Describe the topographic setting, and relation to other physical features, such as lakes, streams, rivers, bluff, edges, nearby hills, elevation, etc., for sterile test pits.

Number of shovel tests --

NAMES OF FIELD TEAM: (include relevant pages in fieldbook)

_____	Date _____	_____	Date _____
_____	Date _____	_____	Date _____
_____	Date _____	_____	Date _____
_____	Date _____	_____	Date _____
_____	Date _____	_____	Date _____
_____	Date _____	_____	Date _____

DEFINITIONS OF GEOLOGICAL UNITS

G=Glacial L=Late Glacial R=Recent M=Modern

b. Surfaces mapped as "b" are sloping bedrock surfaces that formed the valley walls of glacial troughs. In most cases slopes are very steep, and usually bedrock is exposed directly underneath the thin recent soil mantle. In some places patchy thin drift may be present within the boundaries of areas mapped with the subscript "b". This unit commonly grades both upward and downward in elevation to rock slopes above the glacial trough (r) or to drift mantle slopes (d, d/b). Minor windblown sedimentation and solifluction processes have occurred, but in most cases the glacial trough is relatively unmodified.

d. Surfaces mapped as "d" include those areas thickly mantled with glacial drift. Relief is generally very low and the unit can have a monotonous gradually sloping undulating expression. Drainage is typically poor, with small ponds forming in a few places. The surface character is controlled largely by the varying thickness and composition of the till mantle. Most of the sediment underlying the surfaces mapped "d" is probably stony, clayey, dense till, which may be overlain by a thin gravel cap.

d/b. Surfaces mapped as "d/b" are underlain by thin or patchy drift which overlies bedrock. Both ice-scoured bedrock and a mantle of poorly drained drift can occur locally. The topographic relief is usually lower than "r" surfaces because the drift fills in the original depressions. It is higher than "d" surfaces because the surface irregularities are not completely masked by a drift mantle. Locally, this unit can be well drained (as in the gravelly areas), but usually well drained bedrock areas are randomly interspersed with poorly drained drift areas. Minor areas of subdued morainal topography can be present locally.

m. Surfaces mapped as "m" are underlain by hummocky irregular, commonly gravelly drift which extends to some depth. The surface expression is morainal. Topographic relief is generally less than 100 feet, but numerous chaotic small ridges (morainal) or isolated mounds (kames) typically less than 100' relief may be present. In most areas, the surfaces mapped as "m" are well drained and gravelly. Small lakes are commonly present, and large irregular poorly drained areas may be present as well. Very little morainal topography is present west of the Watana Dam Site. Extensive areas near the Tyone River, although morainal in form (m), are more subdued and poorly drained, possibly because they are partly buried by eolian sediments.

m2. Surfaces mapped as "m2" are similar to "m" surfaces and grade directly into them. They are, however, more irregular in form, with more prominent ridges, and better drained topography. In the vicinity of Tsisi Creek and the Oshetna River, "m2" surfaces include some prominent valley lateral moraines.

v. Surfaces mapped as "v" include all bedrock surfaces that were formed by recent incision of tributaries and the Susitna River. The surfaces are very steep, commonly gullied, and are still commonly in the process of being eroded. The country between "v" surfaces and the next higher surface is usually sharp. "v" surface also includes some colluvium, small talus cones, and a few possible landslides.

a. Surfaces mapped as "a" include all alluvium of modern or relatively recent age. The alluvium is generally well drained and vegetation covered, especially in the Susitna Canyon. Alluvium in the tributaries may contain minor colluvial debris and some fine material, but along the Susitna and Chulitna River "a" is indistinguishable from outwash. The alluvium is derived largely from reworked outwash, hence the similarity. The contact between alluvium (a) and steep gullied slopes (v) is usually abrupt, but difficult to map because of the narrow outcrop pattern.

(Attach continuation sheets as needed.)

RECORDER:

1. Name(s) _____ 2. Date _____
3. Address _____
4. Project _____ 5. Permit Number _____

SITE REFERENCE/LOCATION:

1. Field Designation _____ 2. (AHRs) Designation _____
3. Name(s) of Site _____
4. Map Name _____, Map Scale _____
5. Latitude ____ Deg. ____ Min. ____ Sec. / Longitude ____ Deg. ____ Min. ____ Sec. ____
6. Legal Description _____
7. Aerial Photo Reference _____, Photo Scale _____
8. UTM Grid Reference _____
9. Bibliographic References (manuscripts, etc.) _____

LAND USE CONDITIONS:

1. Present Land Use _____
2. Recent Surface Modifications _____
3. Natural Erosion: Kind _____ Extent _____
4. Vandalism: No ____ Yes ____; Heavy ____ Medium ____ Light ____
5. Past Surface Modifications _____
6. Future Surface Modifications _____
7. Property Owner/Manager _____

ENVIRONMENTAL DESCRIPTION:

1. Vegetation at Site _____
2. Surrounding Vegetation _____
3. Topography at Site _____
4. Surrounding Topography _____
5. Geology (surface/bedrock) _____
6. Nearest Water to Site: Distance _____ Direction _____ Type _____

(Attach continuation sheets as needed.)

Site Reference _____

From Page 1

SOIL MATRIX:

1. Thickness (sod) _____, (soil) _____, Description _____

3. Samples Taken: No _____ Yes _____; Number/Description _____

1. Field Book(s) _____ Pages _____

2. Photographs Taken: B&W _____ Color Slides _____ Color Prints _____, Description of Subject(s) _____

ARCHAEOLOGICAL OBSERVATIONS/DATA COLLECTED:

1. Estimated Extent of Site (use sketch map) _____

2. Number of Cultural Components _____

3. Stratigraphy: No _____ Yes _____ (attach profile)

4. Number of Test Pits Dug _____ (indicate their relative positions on sketch map)

5. Organic Preservation: No _____ Yes _____; Good _____ Moderate _____ Poor _____

6. Faunal: No _____ Yes _____; Description _____

7. Human Remains: No _____ Yes _____; Description _____

8. Charcoal: No _____ Yes _____ Collected _____; Description/Provenience _____

9. Other Features _____

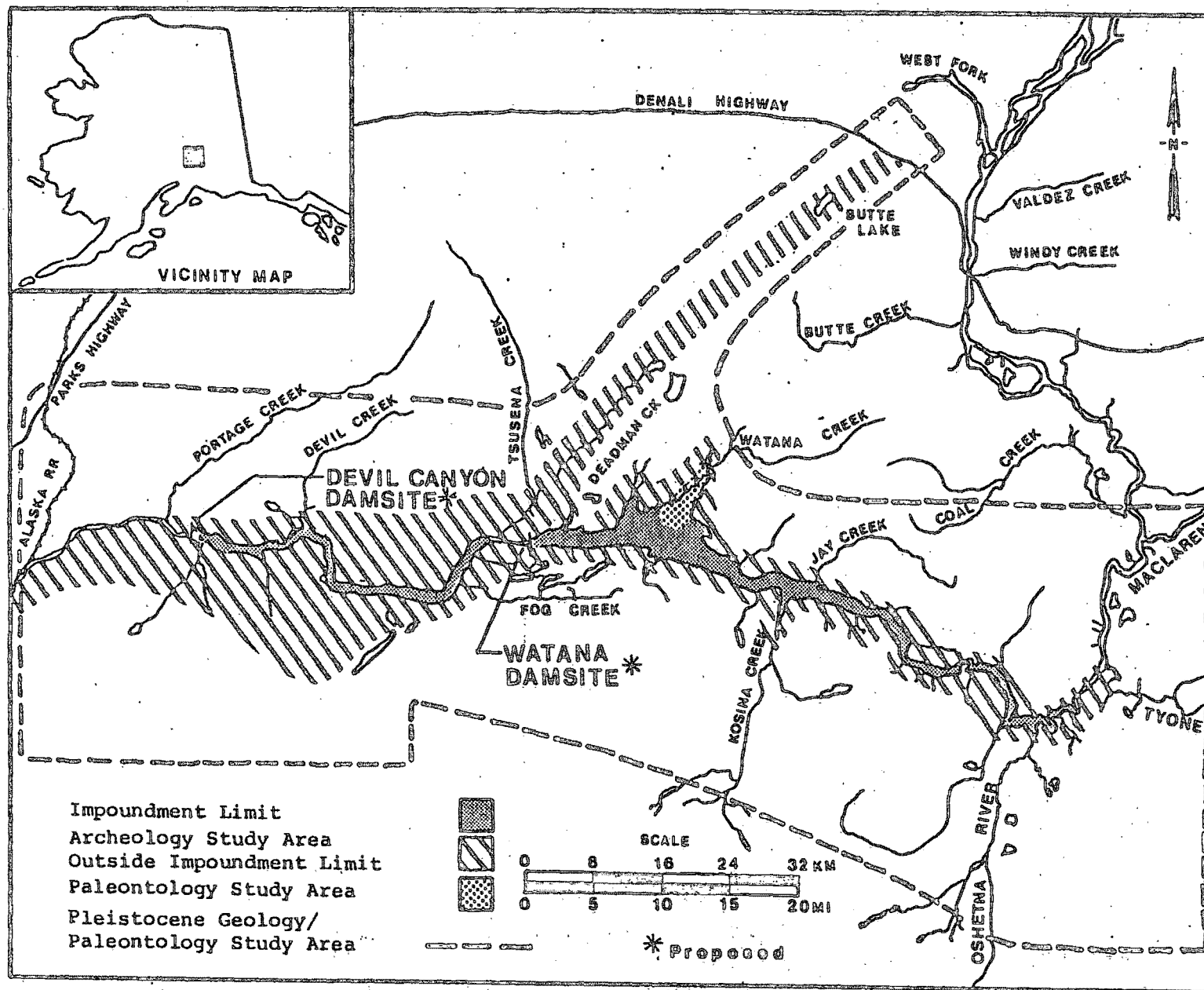
10. Artifacts: No _____ Yes _____ Collected _____; Description _____

11. Repository _____

SKETCH MAP ATTACHED:

1. Indicate North, give scale, provide appropriate labels, and include landmarks.

Figure 3. Study area for cultural resources, and associated activities.



Time	Cultural Chronology	Glaciation	Climate	Vegetation
1850		▲		
1500				
1000				Modern Vegetation
500 A.D.				
0		Minor oscillations of valley glaciers during Neoglacial time	Cooler	Shrub tundra
500 B.C.				
1,000				
1,500				
2,000				
2,500		▼		
3,000		▲		Boreal forest
3,500		Maximum glacial retraction		
4,000				
4,500			Possibly warmer and drier	
5,000		▼		
5,500		▲		
6,000				
6,500		Possible re-advance of valley glaciers		
7,000				
7,500				
8,000				
8,500		Continued deglaciation of smaller valleys		
9,000				
9,500				Shrub tundra
10,000		Main valley and lowlands ice-free		
10,500				
11,000		Oscillatory glacier retraction and stagnation		
11,500				Steppe tundra
12,000		Ice covered valley ca. 13,000 to 20,000-30,000		

Figure 4. Speculative cultural chronology and inferred glacial, climatological and vegetational regimes of the Upper Susitna Valley.

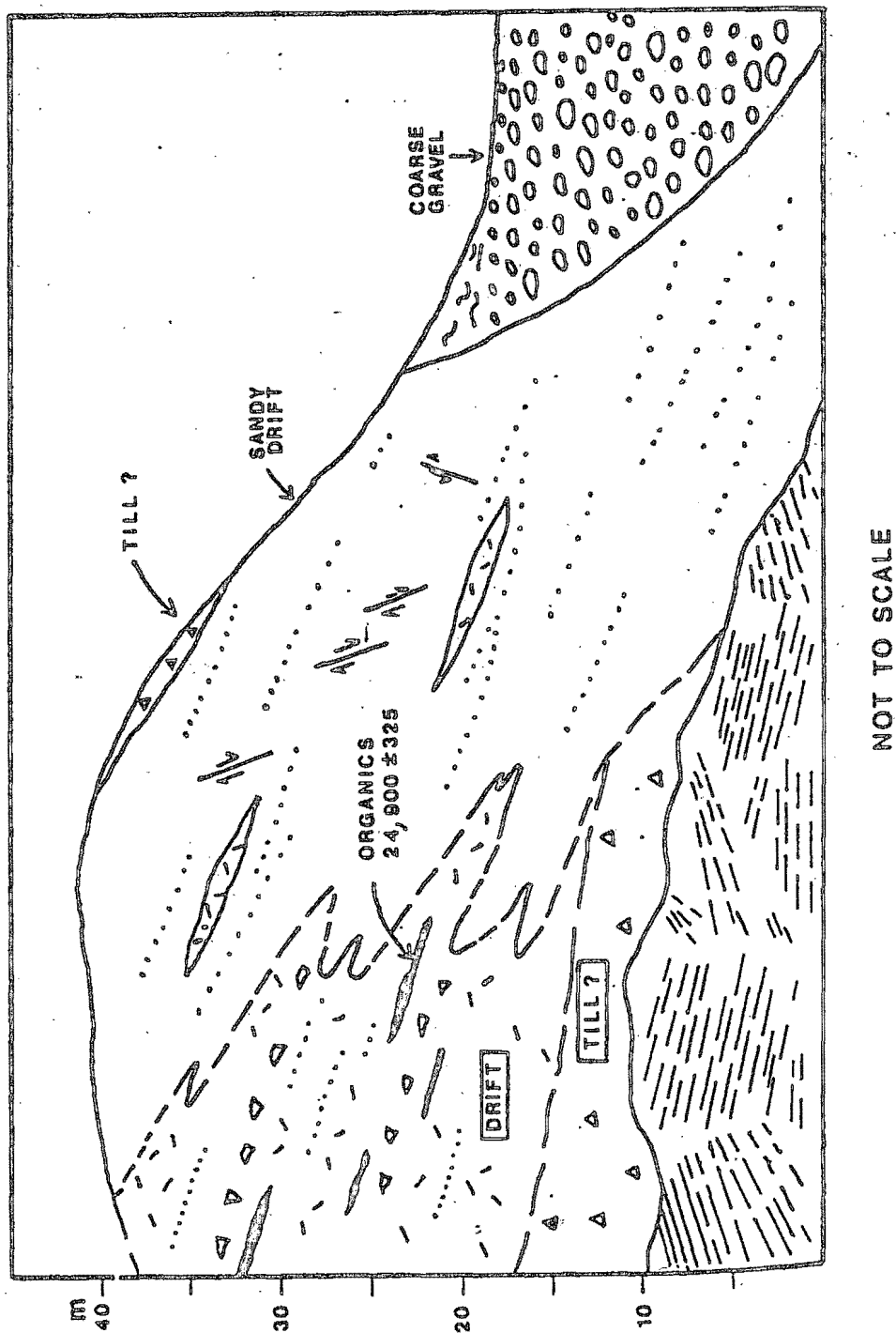
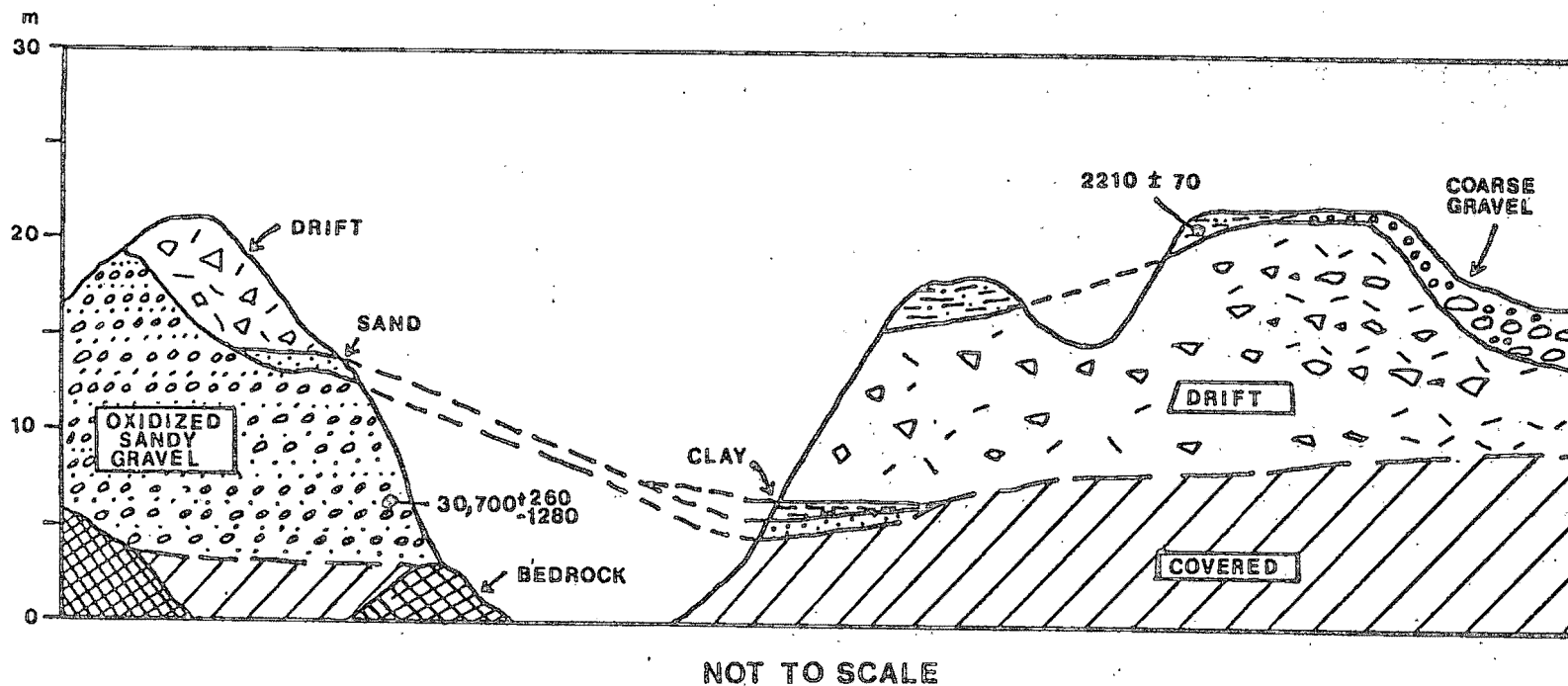


Figure 150. Generalized Stratigraphic Section of Oshetna-Mouth Bluff.

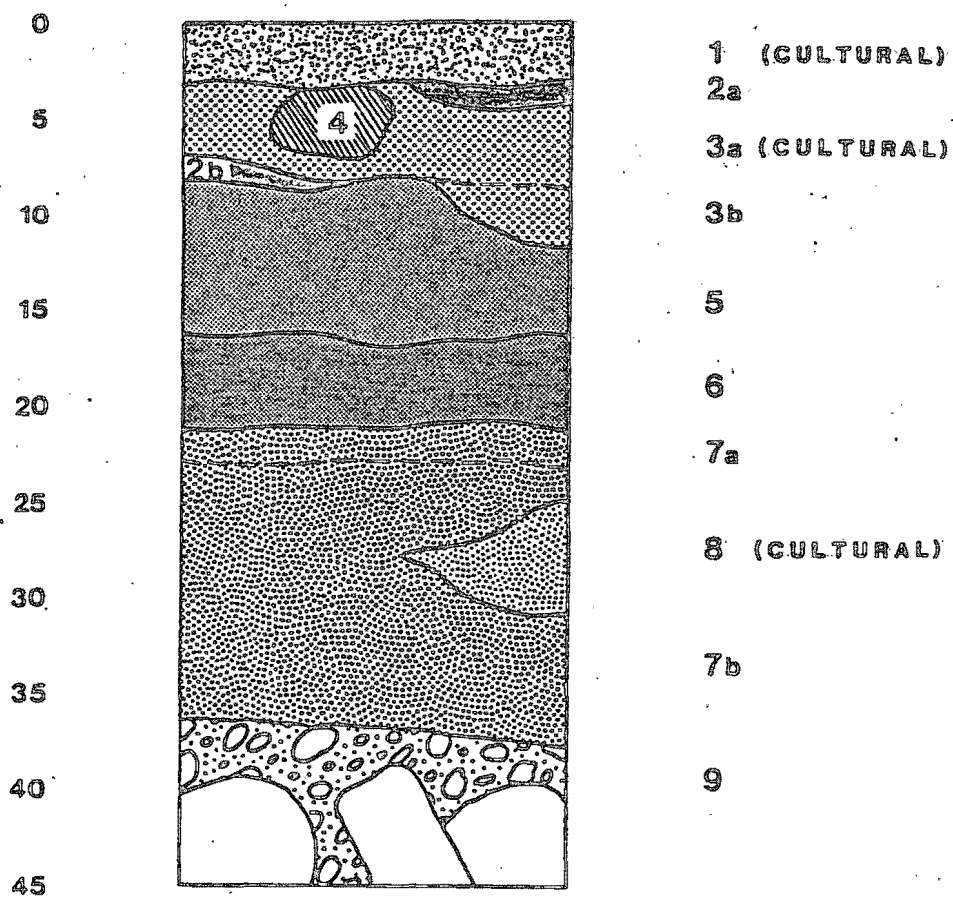
Figure 151. Generalized Stratigraphic Section of Earthflow Bluff.



DEPTH (cm)

PROFILE

SOIL UNIT



Note: extensive solumfluction has occurred at this locus

Figure 125. Composite Soil Profile Locus A TLM 042.

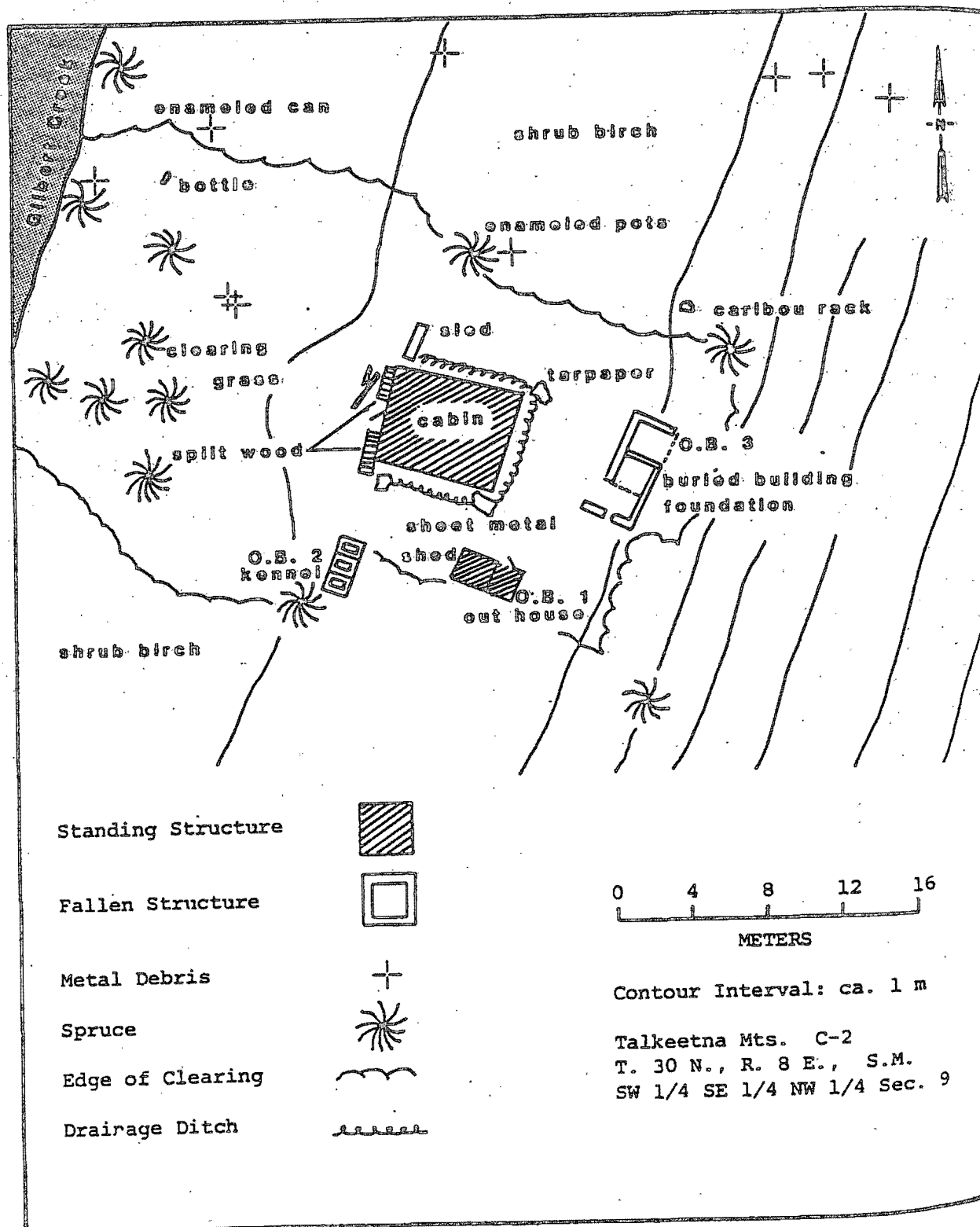


Figure 107. Site Map TLM 071.

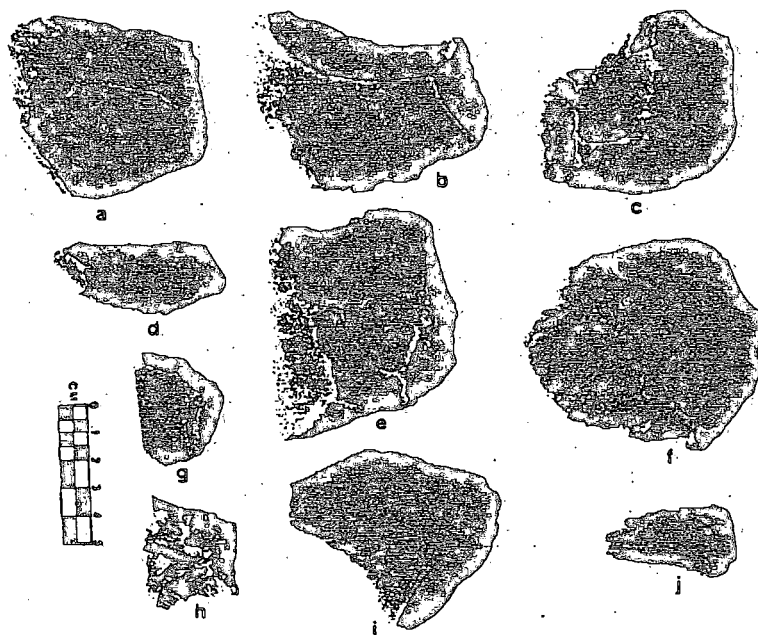


Figure A. Site TLM 027.

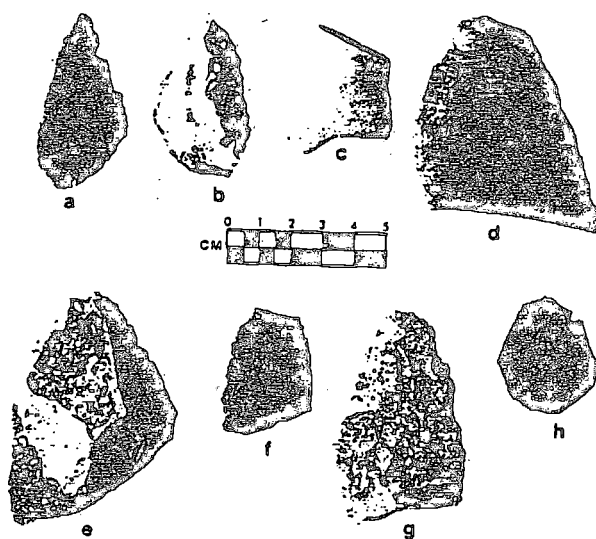


Figure B. Sites TLM 026, TLM 021, TLM 025.

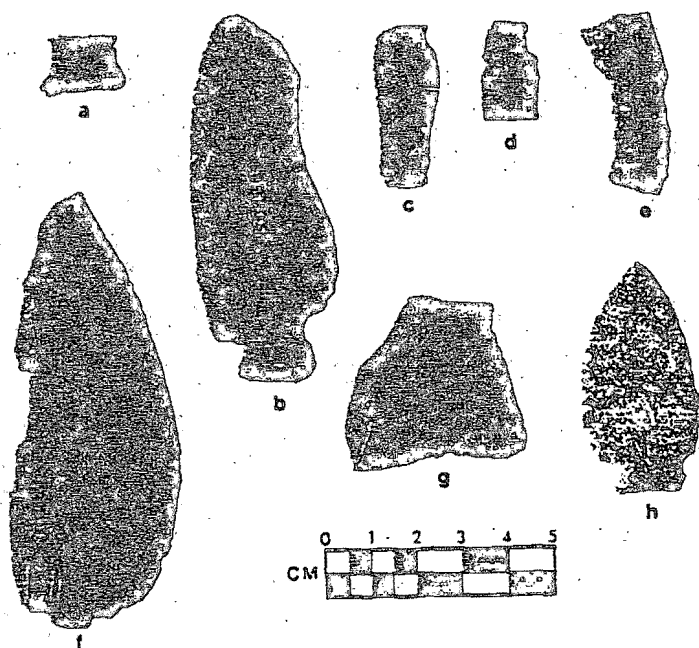


Figure C. Site TLM 030.

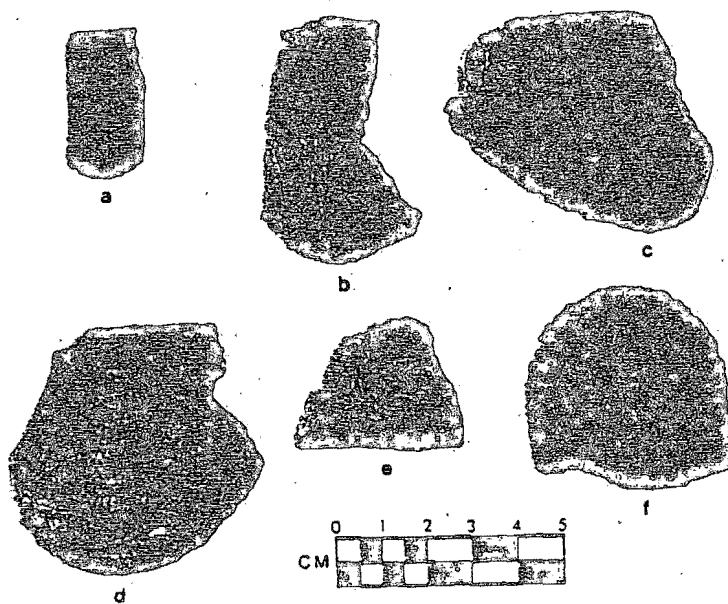


Figure D. Sites TLM 031, TLM 032, TLM 033, TLM 036.

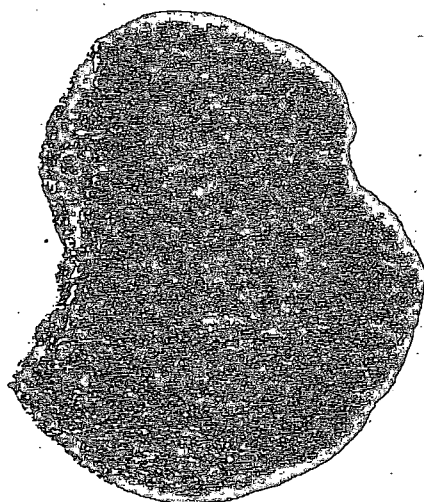


Figure E. Site TLM 032.

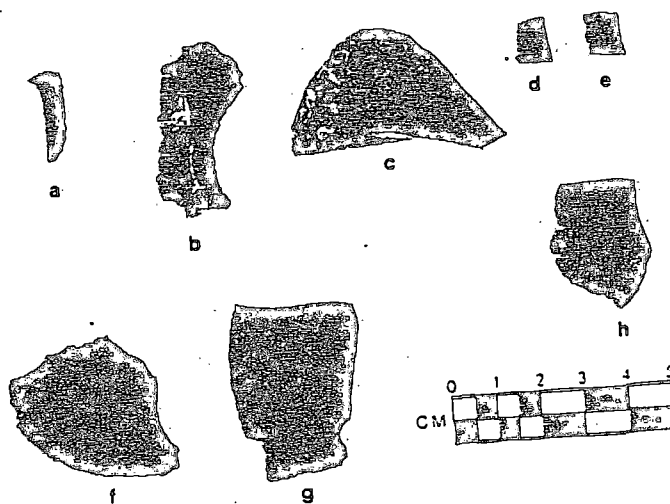
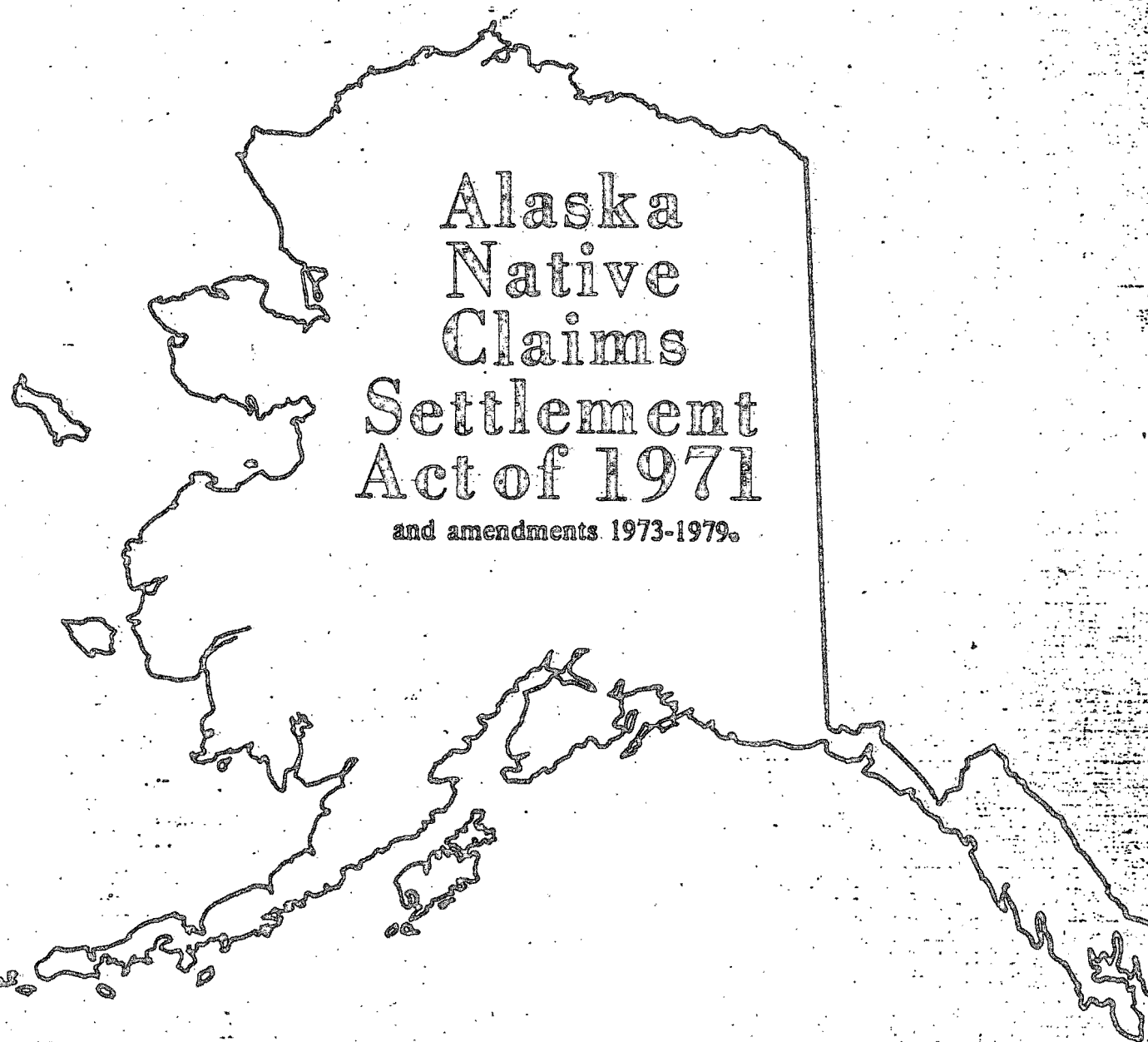


Figure F. Sites TLM 039, TLM 040, TLM 042.

BKB

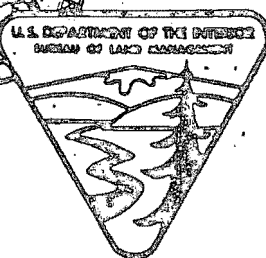


Alaska Native Claims Settlement Act of 1971

and amendments 1973-1979.



U.S. Department of the Interior
Bureau of Land Management
701 C Street, Anchorage, Alaska 99513



DEFINITIONS

Sec. 3. For the purposes of this Act, the term—

- (a) "Secretary" means the Secretary of the Interior;
- (b) "Native" means a citizen of the United States who is a person of one-fourth degree or more Alaska Indian (including Tsimshian Indians not enrolled in the Metlaktila Indian Community), Eskimo, or Aleut blood, or combination thereof. The term includes any Native as so defined either or both of whose adoptive parents are not Natives. It also includes, in the absence of proof of a minimum blood quantum, any citizen of the United States who is regarded as an Alaska Native by the Native village or Native group of which he claims to be a member and whose father or mother is (or, if deceased, was) regarded as Native by any village or group. Any decision of the Secretary regarding eligibility for enrollment shall be final;
- * (c) "Native village" means any tribe, band, clan, group, village, community, or association in Alaska listed in sections 11 and 16 of this Act, or which meets the requirements of this Act, and which the Secretary determines was, on the 1970 census enumeration date (as shown by the census or other evidence satisfactory to the Secretary, who shall make findings of fact in each instance), composed of twenty-five or more Natives;
- * (d) "Native group" means any tribe, band, clan, village, community, or village association of Natives in Alaska composed of less than twenty-five Natives, who comprise a majority of the residents of the locality;
- * (e) "Public lands" means all Federal lands and interests therein located in Alaska except: (1) the smallest practicable tract, as determined by the Secretary, enclosing land actually used in connection with the administration of any Federal installation, and (2) land selections of the State of Alaska which have been patented or tentatively approved under section 6(g) of the Alaska Statehood Act, as amended (72 Stat. 341, 77 Stat. 223), or identified for selection by the State prior to January 17, 1969;
- (f) "State" means the State of Alaska;
- * (g) "Regional Corporation" means an Alaska Native Regional Corporation established under the laws of the State of Alaska in accordance with the provisions of this Act;
- (h) "Person" means any individual, firm, corporation, association, or partnership;
- (i) "Municipal Corporation" means any general unit of municipal government under the laws of the State of Alaska;
- * (j) "Village Corporation" means an Alaska Native Village Corporation organized under the laws of the State of Alaska as a business for profit or nonprofit corporation to hold, invest, manage and/or distribute lands, property, funds, and other rights and assets for and on behalf of a Native village in accordance with the terms of this Act.
- (k) "Fund" means the Alaska Native Fund in the Treasury of the United States established by section 6; and
- (l) "Planning Commission" means the Joint Federal-State Land Use Planning Commission established by section 17.

48 USC
 prec. 21 note.

DECLARATION OF SETTLEMENT

Prior land
 conveyances,
 aboriginal
 titles and
 claims,
 extinguishment.

- * Sec. 4. (a) All prior conveyances of public land and water areas in Alaska, or any interest therein, pursuant to Federal law, and all tentative approvals pursuant to section 6(g) of the Alaska Statehood Act, shall be regarded as an extinguishment of the aboriginal title thereto, if any.

STATUTE OF LIMITATIONS

SEC. 10. (a) Notwithstanding any other provision of law, any civil action to contest the authority of the United States to legislate on the subject matter or the legality of this Act shall be barred unless the complaint is filed within one year of the date of enactment of this Act, and no such action shall be entertained unless it is commenced by a duly authorized official of the State. Exclusive jurisdiction over such action is hereby vested in the United States District Court for the District of Alaska. The purpose of this limitation on suits is to insure that, after the expiration of a reasonable period of time, the right, title, and interest of the United States, the Natives, and the State of Alaska will vest with certainty and finality and may be relied upon by all other persons in their relations with the State, the Natives, and the United States.

Jurisdiction.

(b) In the event that the State initiates litigation or voluntarily becomes a party to litigation to contest the authority of the United States to legislate on the subject matter or the legality of this Act, all rights of land selection granted to the State by the Alaska Statehood Act shall be suspended as to any public lands which are determined by the Secretary to be potentially valuable for mineral development, timber, or other commercial purposes, and no selections shall be made, no tentative approvals shall be granted, and no patents shall be issued for such lands during the pendency of such litigation. In the event of such suspension, the State's right of land selection pursuant to section 6 of the Alaska Statehood Act shall be extended for a period of time equal to the period of time the selection right was suspended.

Land selection,
suspension of
rights.72 Stat. 339.
48 USC prec.
21 note.

Extension.

72 Stat. 340;
78 Stat. 168.

WITHDRAWAL OF PUBLIC LANDS

* SEC. 11. (a) (1) The following public lands are withdrawn, subject to valid existing rights, from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, and from selection under the Alaska Statehood Act, as amended:

(A) The lands in each township that encloses all or part of any Native village identified pursuant to subsection (b);

(B) The lands in each township that is contiguous to or corners on the township that encloses all or part of such Native village; and

(C) The lands in each township that is contiguous to or corners on a township containing lands withdrawn by paragraph (B) of this subsection.

The following lands are excepted from such withdrawal: lands in the National Park System and lands withdrawn or reserved for national defense purposes other than Naval Petroleum Reserve Numbered 4.

Exceptions.

(2) All lands located within the townships described in subsection (a) (1) hereof that have been selected by, or tentatively approved to, but not yet patented to, the State under the Alaska Statehood Act are withdrawn, subject to valid existing rights, from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, and from the creation of third party interests by the State under the Alaska Statehood Act.

(3) (A) If the Secretary determines that the lands withdrawn by subsections (a) (1) and (2) hereof are insufficient to permit a Village or Regional Corporation to select the acreage it is entitled to select, the Secretary shall withdraw three times the deficiency from the nearest unreserved, vacant and unappropriated public lands. In making this withdrawal the Secretary shall, insofar as possible, withdraw public lands of a character similar to those on which the village is located and

(d) the Secretary may apply the rule of approximation with respect to the acreage limitations contained in this section.

(e) Immediately after selection by a Regional Corporation, the Secretary shall convey to the Regional Corporation title to the surface and/or the subsurface estates, as is appropriate, in the lands selected.

(f) When the Secretary issues a patent to a Village Corporation for the surface estate in lands pursuant to subsections (a) and (b), he shall issue to the Regional Corporation for the region in which the lands are located a patent to the subsurface estate in such lands, except lands located in the National Wildlife Refuge System and lands withdrawn or reserved for national defense purposes, including Naval Petroleum Reserve Numbered 4, for which in lieu rights are provided for in subsection 12(a)(1): *Provided*, That the right to explore, develop, or remove minerals from the subsurface estate in the lands within the boundaries of any Native village shall be subject to the consent of the Village Corporation.

Subsurface
estate, patent.

Mineral
rights.

1947 Saleable
materials act

(g) All conveyances made pursuant to this Act shall be subject to valid existing rights. Where, prior to patent of any land or minerals under this Act, a lease, contract, permit, right-of-way, or easement (including a lease issued under section 6(g) of the Alaska Statehood Act) has been issued for the surface or minerals covered under such patent, the patent shall contain provisions making it subject to the lease, contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him.

72 Stat. 341;
77 Stat. 323.
48 USC prec.
21 note.

* Upon issuance of the patent, the patentee shall succeed and become entitled to any and all interests of the State or the United States as lessor, contractor, permitter, or grantor, in any such leases, contracts, permits, rights-of-way, or easements covering the estate patented, and a lease issued under section 6(g) of the Alaska Statehood Act shall be treated for all purposes as though the patent had been issued to the State. The administration of such lease, contract, permit, right-of-way, or easement shall continue to be by the State or the United States, unless the agency responsible for administration waives administration. In the event that the patent does not cover all of the land embraced within any such lease, contract, permit, right-of-way, or easement, the patentee shall only be entitled to the proportionate amount of the revenues reserved under such lease, contract, permit, right-of-way, or easement by the State or the United States which results from multiplying the total of such revenues by a fraction in which the numerator is the acreage of such lease, contract, permit, right-of-way, or easement which is included in the patent and the denominator is the total acreage contained in such lease, contract, permit, right-of-way, or easement.

(h) The Secretary is authorized to withdraw and convey 2 million acres of unreserved and unappropriated public lands located outside the areas withdrawn by sections 11 and 16, and follows:

Land convey-
ance, author-
ization.

* ~~(1)~~ (1) The Secretary may withdraw and convey to the appropriate Regional Corporation fee title to existing cemetery sites and historical places;

(2) The Secretary may withdraw and convey to a Native group that does not qualify as a Native village, if it incorporates under the laws of Alaska, title to the surface estate in not more than 23,040 acres surrounding the Native group's locality. The subsurface estate in such land shall be conveyed to the appropriate Regional Corporation;

(3) The Secretary may withdraw and convey to the Natives residing in Sitka, Kenai, Juneau, and Kodiak, if they incorporate under the laws of Alaska, the surface estate of lands of a similar

(b) The Secretary is directed to promptly issue patents to all persons who have made a lawful entry on the public lands in compliance with the public land laws for the purpose of gaining title to homesteads, headquarters sites, trade and manufacturing sites, or small tract sites (43 U.S.C. 682), and who have fulfilled all requirements of the law prerequisite to obtaining a patent. Any person who has made a lawful entry prior to August 31, 1971, for any of the foregoing purposes shall be protected in his right of use and occupancy until all the requirements of law for a patent have been met even though the lands involved have been reserved or withdrawn in accordance with Public Land Order 4582, as amended, or the withdrawal provisions of this Act: *Provided*, That occupancy must have been maintained in accordance with the appropriate public land law: *Provided further*, That any person who entered on public lands in violation of Public Land Order 4582, as amended, shall gain no rights.

34 Stat. 1052.

* (c) On any lands conveyed to Village and Regional Corporations, any person who prior to August 31, 1971, initiated a valid mining claim or location under the general mining laws and recorded notice of said location with the appropriate State or local office shall be protected in his possessory rights, if all requirements of the general mining laws are complied with, for a period of five years and may, if all requirements of the general mining laws are complied with, proceed to patent.

Mining claims,
possessory
rights.

(d) The provisions of Revised Statute 452 (43 U.S.C. 11) shall not apply to any land grants or other rights granted under this Act.

(e) If land within the National Wildlife Refuge System is selected by a Village Corporation pursuant to the provisions of this Act, the secretary shall add to the Refuge System other public lands in the State to replace the lands selected by the Village Corporation.

* (f) The Secretary, the Secretary of Defense, and the Secretary of Agriculture are authorized to exchange any lands or interests therein in Alaska under their jurisdiction for lands or interests therein of the Village Corporations, Regional Corporations, individuals, or the State for the purpose of effecting land consolidations or to facilitate the management or development of the land. Exchanges shall be on the basis of equal value, and either party to the exchange may pay or accept cash in order to equalize the value of the properties exchanged.

Land
exchanges.

(g) If a patent is issued to any Village Corporation for land in the National Wildlife Refuge System, the patent shall reserve to the United States the right of first refusal if the land is ever sold by the Village Corporation. Notwithstanding any other provision of this Act, every patent issued by the Secretary pursuant to this Act—which covers lands lying within the boundaries of a National Wildlife Refuge on the date of enactment of this Act shall contain a provision that such lands remain subject to the laws and regulations governing use and development of such Refuge.

(h) (1) All withdrawals made under this Act, except as otherwise provided in this subsection, shall terminate within four years of the date of enactment of this Act: *Provided*, That any lands selected by Village or Regional Corporations or by a Native group under section 12 shall remain withdrawn until conveyed pursuant to section 14.

Withdrawals,
termination
dates.

(2) The withdrawal of lands made by subsection 11(a)(2) and section 16 shall terminate three years from the date of enactment of this Act.

(3) The provisions of this section shall not apply to any withdrawals made under section 17 of this Act.

(4) The Secretary is authorized to terminate any withdrawal made by or pursuant to this Act whenever he determines that the withdrawal is no longer necessary to accomplish the purposes of this Act.

BRB

(i) Prior to a conveyance pursuant to section 14, lands withdrawn by or pursuant to sections 11, 14, and 16 shall be subject to administration by the Secretary, or by the Secretary of Agriculture in the case of National Forest lands, under applicable laws and regulations, and their authority to make contracts and to grant leases, permits, rights-of-way, or easements shall not be impaired by the withdrawal.

(j) In any area of Alaska for which protraction diagrams of the Bureau of Land Management or the State do not exist, or which does not conform to the United States Land Survey System, or which has not been surveyed in a manner adequate to withdraw and grant the lands provided for under this Act, the Secretary shall take such actions as are necessary to accomplish the purposes of this Act, and the deeds granted shall note that upon completion of an adequate survey appropriate adjustments will be made to insure that the beneficiaries of the land grants receive their full entitlement.

Land patents
in national
forests,
conditions.

(k) Any patents to lands under this Act which are located within the boundaries of a national forest shall contain such conditions as the Secretary deems necessary to assure that:

(1) the sale of any timber from such lands shall, for a period of five years, be subject to the same restrictions relating to the export of timber from the United States as are applicable to national forest lands in Alaska under rules and regulations of the Secretary of Agriculture; and

(2) such lands are managed under the principle of sustained yield and under management practices for protection and enhancement of environmental quality no less stringent than such management practices on adjacent national forest lands for a period of twelve years.

Land selec-
tion limita-
tion.

(l) Notwithstanding any provision of this Act, no Village or Regional Corporation shall select lands which are within two miles from the boundary, as it exists on the date of enactment of this Act, of any home rule or first class city (excluding boroughs) or which are within six miles from the boundary of Ketchikan.

REVIEW BY CONGRESS

Reports to
Congress.

SEC. 23. The Secretary shall submit to the Congress annual reports on implementation of this Act. Such reports shall be filed by the Secretary annually until 1984. At the beginning of the first session of Congress in 1985 the Secretary shall submit, through the President, a report of the status of the Natives and Native groups in Alaska, and a summary of actions taken under this Act, together with such recommendations as may be appropriate.

APPROPRIATIONS

SEC. 24. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

PUBLICATIONS

Publication
in Federal
Register.
60 Stat. 237.
5 USC 551
et seq.

SEC. 25. The Secretary is authorized to issue and publish in the Federal Register, pursuant to the Administrative Procedure Act, such regulations as may be necessary to carry out the purposes of this Act.

SAVING CLAUSE

*

SEC. 26. To the extent that there is a conflict between any provision of this Act and any other Federal laws applicable to Alaska, the provisions of this Act shall govern.

the disenrollment of Natives shall affect land entitlements of any Regional or Village Corporation or any Native village or group eligibility.

43 USC 1615. Sec. 9. Section 16 of the Settlement Act is amended by inserting at the end thereof a new subsection (d) to read as follows:

“(d) The lands enclosing and surrounding the village of Klukwan which were withdrawn by subsection (a) of this section are hereby rewithdrawn to the same extent and for the same purposes as provided by said subsection (a) for a period of one year from the date of enactment of this subsection, during which period the Village Corporation for the village of Klukwan shall select an area equal to twenty-three thousand and forty acres in accordance with the provisions of subsection (b) of this section and such Corporation and the shareholders thereof shall otherwise participate fully in the benefits provided by this Act to the same extent as they would have participated had they not elected to acquire title to their former reserve as provided by section 19(b) of this Act: *Provided*, That nothing in this subsection shall affect the existing entitlement of any Regional Corporation to lands pursuant to section 14(h) (8) of this Act: *Provided further*, That the foregoing provisions of this subsection shall not become effective unless and until the Village Corporation for the village of Klukwan shall quitclaim to Chilkat Indian Village, organized under the provisions of the Act of June 18, 1934 (48 Stat. 984), as amended by the Act of May 1, 1936 (49 Stat. 1250), all its right, title, and interest in the lands of the reservation defined in and vested by the Act of September 2, 1957 (71 Stat. 596), which lands are hereby conveyed and confirmed to said Chilkat Indian Village in fee simple absolute, free of trust and all restrictions upon alienation, encumbrance, or otherwise: *Provided further*, That the United States and the Village Corporation for the village of Klukwan shall also quitclaim to said Chilkat Indian Village any right or interest they may have in and to income derived from the reservation lands defined in and vested by the Act of September 2, 1957 (71 Stat. 597), after the date of enactment of this Act and prior to the date of enactment of this subsection.”

43 USC 1615. Sec. 10. Section 16(b) of the Settlement Act is amended by adding at the end thereof the following: “Such allocation as the Regional Corporation for the southeastern Alaska region shall receive under section 14(h) (8) shall be selected and conveyed from lands not selected by such Village Corporations that were withdrawn by subsection (a) of this section, except lands on Admiralty Island in the Angoon withdrawal area and, without the consent of the Governor of the State of Alaska or his delegate, lands in the Saxman and Yakutat withdrawal areas.”

43 USC 1613 note. Sec. 11. The boundary between the southeastern and Chugach regions shall be the 141st meridian: *Provided*, That the Regional Corporation for the Chugach region shall accord to the Natives enrolled to the Village of Yakutat the same rights and privileges to use any lands which may be conveyed to the Regional Corporation in the vicinity of Icy Bay for such purposes as such Natives have traditionally made thereof, including, but not limited to, subsistence hunting, fishing and gathering, as the Regional Corporation accords to its own shareholders, and shall take no unreasonable or arbitrary action relative to such lands for the primary purpose and having the effect, of impairing or curtailing such rights and privileges.

* 43 USC 1611 note. Sec. 12. (a) The purpose of this section is to provide for the settlement of certain claims, and in so doing to consolidate ownership among the United States, the Cook Inlet Region, Incorporated (hereinafter in this section referred to as the “Region”), and the State of Alaska,

within the Cook Inlet area of Alaska in order to facilitate land management and to create land ownership patterns which encourage settlement and development in appropriate areas. The provisions of this section shall take effect at such time as all of the following have taken place:

(1) the State of Alaska has conveyed or irrevocably obligated itself to convey lands to the United States for exchange, hereby authorized, with the Region in accordance with the document referred to in subsection (b);

(2) the Region and all plaintiffs/appellants have withdrawn from Cook Inlet against Kleppe, numbered 75-2232, ninth circuit, and such proceedings have been dismissed with prejudice; and

(3) all Native village selections under section 12 of the Settlement Act of the lands within Lake Clark, Lake Kontrashibuna, and Mulchatna River deficiency withdrawals have been irrevocably withdrawn and waived.

The conveyances described in paragraph (1) of this subsection shall not be subject to the provisions of section 6(i) of the Alaska Statehood Act (72 Stat. 339).

48 USC prec.
21 note.

(b) The Secretary shall make the following conveyances to the Region, in accordance with the specific terms, conditions, procedures, covenants, reservations, and other restrictions set forth in the document entitled "Terms and Conditions for Land Consolidation and Management in Cook Inlet Area", which was submitted to the House Committee on Interior and Insular Affairs on December 10, 1975, the terms of which are hereby ratified as to the duties and obligations of the United States and the Region, as a matter of Federal law:

(1) title to approximately 10,240 acres of land within the Kenai National Moose Range; except that there shall be no conveyance of the bed of Lake Tustumena, or the mineral estate in the waterfront zone described in the document referred to in this subsection;

(2) title to oil and gas and coal in not to exceed 9.5 townships within the Kenai National Moose Range;

(3) title to Federal interests in township 10 south, range 9 west, F.M., and township 20 north, range 9 east, S.M.;

(4) title to township 1 south, range 21 west, S.M.: sections 3 to 10, 15 to 22, 29, and 30; and rights to metalliferous minerals in the following sections in township 1 north, range 21 west, S.M.: sections 13, 14, 15, 22, 23, 24, 25, 26, 27, 28, 32, 33, 34, 35, 36;

(5) title to twenty-nine and sixty-six hundredths townships of land outside the boundaries of Cook Inlet Region: unless pursuant to the document referred to in this subsection a greater or lesser entitlement shall exist, in which case the Secretary shall convey such entitlement;

(6) title to lands selected by the Region from a pool which shall be established by the Secretary and the Administrator of General Services: *Provided*, That conveyances pursuant to this paragraph shall not be subject to the provisions of section 22(1) of the Settlement Act: *Provided further*, That conveyances pursuant to this paragraph shall be made in exchange for lands or rights to select lands outside the boundaries of Cook Inlet Region as described in paragraph (5) of this subsection and on the basis of values determined by agreement among the parties, notwithstanding any other provision of law. Effective upon their conveyance, the lands referred to in paragraph (1) of this subsection are excluded from the Kenai National Moose Range, but they shall automatically become part of the range and subject

43 USC 1621.

43 USC 1621.

to the laws and regulations applicable thereto upon title thereafter vesting in the United States. The Secretary is authorized to acquire lands formerly within the range with the concurrence of the Region so long as the Region owns such lands. Section 22(e) of the Settlement Act, concerning refuge replacement, shall apply with respect to lands conveyed pursuant to paragraphs (1) and (2) of this subsection, except that the Secretary may designate for replacement land twice the amount of any land conveyed without restriction to a native corporation.

No lands outside the exterior boundaries of Cook Inlet Region shall be conveyed to the Region, unless, in the following circumstances, the consent of other Native Corporations is obtained:

43 USC 1610.

- (i) Where the township to be nominated is located within an area withdrawn as of December 15, 1975, pursuant to section 11(a)(1) of the Settlement Act, the Region shall obtain the consent of the Regional Corporation and Village Corporation affected.
- (ii) Where the township to be nominated is located within an area withdrawn pursuant to section 11(a)(3) of the Settlement Act as of December 15, 1975, the Region shall obtain the consent of the Region in which the township is located.

There shall be established a buffer zone outside the withdrawals described in subparagraphs (i) and (ii) which zone shall extend one township from any such section 11(a)(3) withdrawal and one and one-half townships from any section 11(a)(1) withdrawal. Any nomination of a township within such zone shall be subject to the consent of the Region, or of the Village Corporation if adjacent to a section 11(a)(1) withdrawal: *Provided, however,* That the affected Regional Corporation may designate additional lands to be included by substitution in the buffer zone so long as the buffer zone location is no greater than two townships in width and the total acreage of the buffer zone is not enlarged. The affected Regional Corporation shall designate the enlarged buffer zone, if any, no later than six months following the passage of this Act. Any use or development by the Region of land conveyed under this paragraph shall give due protection to the existing subsistence uses of such lands by the residents of the area; and no easement across Village Corporation lands to lands conveyed under this paragraph shall be established without the consent of the said Village Corporation or Corporations.

43 USC 1611,
1613.

(c) The lands and interests conveyed to the Region under the foregoing subsections of this section and the lands provided by the State exchange under subsection (a)(1) of this section, shall be considered and treated as conveyances under the Settlement Act unless otherwise provided, and shall constitute the Region's full entitlement under sections 12(c) and 14(h)(8) of the Settlement Act. Of such lands, 3.58 townships of oil and gas and coal in the Kenai National Moose Range shall constitute the full surface and subsurface entitlement of the Region under section 14(h)(8). The lands which would comprise the difference in acreage between the lands actually conveyed under and referred to in the foregoing subsections of this section, and any final determination of what the Region's acreage rights under sections 12(c) and 14(h)(8) of the Settlement Act would have been, if the conveyances set forth in this section to the Region had not been executed, shall be retained by the United States and shall not be available for conveyance to any Regional Corporation or Village Corporation, notwithstanding any provisions of the Settlement Act to the contrary.

(d)(1) The Secretary shall convey to the State of Alaska all right, title, and interest of the United States in and to all of the following lands:

(i) At least 22.8 townships and no more than 27 townships of land from those presently withdrawn under section 17(d) (2) of the Settlement Act in the Lake Iliamna area and within the Nushagak River or Koksetna River drainages near lands heretofore selected by the State, the amount and identities of which shall be determined pursuant to the document referred to in subsection (b); and

(ii) 26 townships of lands in the Talkeetna Mountains, Kamishak Bay, and Tutna Lake areas, the identities of which are set forth in the document referred to in subsection (b).

All lands granted to the State of Alaska pursuant to this subsection shall be regarded for all purposes as if conveyed to the State under and pursuant to section 6 of the Alaska Statehood Act: *Provided, however,* That this grant of lands shall not constitute a charge against the total acreage to which the State is entitled under section 6(b) of the Alaska Statehood Act.

(2) The Secretary is authorized and directed to convey to the State of Alaska, without consideration, all right, title, and interest of the United States in and to all of that tract generally known as the Campbell tract and more particularly identified in the document referred to in subsection (b) except for one compact unit of land which he determines, after consultation with the State of Alaska, is actually needed by the Bureau of Land Management for its present operations: *Provided,* That in no event shall the unit of land so excepted exceed 1,000 acres in size. The land authorized to be conveyed pursuant to this paragraph shall be used for public parks and recreational purposes and other compatible public purposes in accordance with the generalized land use plan outlined in the Greater Anchorage Area Borough's Far North Bicentennial Park Master Development Plan of September 1974. Except as provided otherwise in this paragraph, in making the conveyance authorized and required by this paragraph, the Secretary shall utilize the procedures of the Recreation and Public Purposes Act (44 Stat. 741), as amended, and regulations developed pursuant to that Act, and the conveyance of such lands shall also contain a provision that, if the lands cease to be used for the purposes for which they were conveyed; the lands and title thereto shall revert to the United States: *Provided, however,* That the acreage limitation provided by section 1(b) of that Act, as amended by the Act of June 4, 1954 (68 Stat. 173), shall not apply to this conveyance, nor shall the lands conveyed pursuant to this paragraph be counted against that acreage limitation with respect to the State of Alaska or any subdivision thereof.

(3) The Secretary is authorized and directed to make available for selection by the State, in its discretion, under section 6 of the Alaska Statehood Act, 12.4 townships of land to be selected from lands within the Talkeetna Mountains and Koksetna River areas as described in the document referred to in subsection (b).

(e) The Secretary may, notwithstanding any other provision of law to the contrary, convey title to lands and interests in lands selected by Native corporations within the exterior boundaries of Power Site Classification 443, February 13, 1958, to such corporations, subject to the reservations required by section 24 of the Federal Power Act. This conveyance shall be considered and treated as a conveyance under the Settlement Act.

(f) All conveyances of lands made or to be made by the State of Alaska in satisfaction of the terms and conditions of the document referred to in subsection (b) of this section shall pass all of the State's right, title, and interest in such lands, including the minerals therein,

PSC #
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Power at

43 USC 1621.

Appropriation
authorization.

43 USC 1611.

Report to
Congress.

43 USC 1620.

43 USC 1606.

43 USC 1607.

26 USC 2031,
2033.

43 USC 1618
note.

43 USC 1613.

43 USC 1601
note.

Appropriation
authorization.
43 USC 1611
note.

43 CFR app.

as if those conveyances were made pursuant to section 22(f) of the Settlement Act, except that dedicated or platted section line easements and highway and other rights-of-way may be reserved to the State.

(g) The Secretary, through the National Park Service, shall provide financial assistance, not to exceed \$25,000, hereby authorized to be appropriated, and technical assistance to the Region for the purpose of developing and implementing a land use plan for the west side of Cook Inlet, including an analysis of alternative uses of such lands.

(h) Village Corporations within the Cook Inlet Region shall have until December 18, 1976, to file selections under section 12(b) of the Settlement Act, notwithstanding any provision of that Act to the contrary.

(i) The Secretary shall report to the Congress by April 15, 1976, on the implementation of this section. If the State fails to agree to engage in a transfer with the Federal Government, pursuant to subsection (a) (1), the Secretary shall prior to December 18, 1976, make no conveyance of the lands that were to be conveyed to the Region in this section, nor shall he convey prior to such date the Point Campbell, Point Woronzof, and Campbell tracts, so that the Congress is not precluded from fashioning an appropriate remedy. In the event that the State fails to agree as aforesaid, all rights of the Region that may have been extinguished by this section shall be restored.

SEC. 13. Section 21 of the Settlement Act is amended by adding the following subsection at the end thereof:

"(f) Until January 1, 1992, stock of any Regional Corporation organized pursuant to section 7, including the right to receive distributions under subsection 7(j), and stock of any Village Corporation organized pursuant to section 8 shall not be includable in the gross estate of a decedent under sections 2031 and 2033, or any successor provisions, of the Internal Revenue Code."

SEC. 14. (a) The Secretary shall pay, by grant, \$250,000 to each of the corporations established pursuant to section 14(h) (3) of the Settlement Act.

(b) The Secretary shall pay, by grant, \$100,000 to each of the following Village Corporations:

- (1) Arctic Village;
- (2) Elim;
- (3) Gambell;
- (4) Savoonga;
- (5) Tetlin; and
- (6) Venetie.

(c) Funds authorized under this section may be used only for planning, development, and other purposes for which the corporations set forth in subsections (a) and (b) are organized under the Settlement Act.

(d) There is authorized to be appropriated to the Secretary for the purpose of this section a sum of \$1,600,000 in fiscal year 1976.

SEC. 15. (a) The Secretary shall convey under sections 12(a) (1) and 14(f) of the Settlement Act to Koniag, Incorporated, a Regional Corporation established pursuant to section 7 of said Act, such of the subsurface estate, other than title to or the right to remove gravel and common varieties of minerals and materials, as is selected by said corporation from lands withdrawn by Public Land Order 5397 for identification for selection by it located in the following described area:

Township 36 south, range 52 west;
Township 37 south, range 51 west;

The Secretary shall convey such lands selected pursuant to this authorization which otherwise comply with the applicable statutes and regulations. This section shall not be construed to increase the entitlement of the corporation of the enrolled residents of Tatitlek or to increase the amount of land that may be selected from the National Forest System. The subsurface of any land selected pursuant to this section shall be conveyed to the Regional Corporation for the Chugach Region pursuant to section 14(f) of the Settlement Act.

43 USC 1613.

43 USC 1621.

Sec. 17. Section 22(f) of the Settlement Act is amended to provide as follows:

"(f) the Secretary, the Secretary of Defense, the Secretary of Agriculture, and the State of Alaska are authorized to exchange lands or interests therein, including Native selection rights, with the corporations organized by Native groups, Village Corporations, Regional Corporations, and the corporations organized by Natives residing in Juneau, Sitka, Kodiak, and Kenai, all as defined in this Act, and other municipalities and corporations or individuals, the State (acting free of the restrictions of section 6(i) of the Alaska Statehood Act), or any Federal agency for the purpose of effecting land consolidations or to facilitate the management or development of the land, or for other public purposes. Exchanges shall be on the basis of equal value, and either party to the exchange may pay or accept cash in order to equalize the value of the property exchanged: *Provided*, That when the parties agree to an exchange and the appropriate Secretary determines it is in the public interest, such exchanges may be made for other than equal value."

48 USC prec.

21 note.

43 USC 1625
note.43 USC 1601
note.

Sec. 18. Except as specifically provided in this Act, (i) the provisions of the Settlement Act are fully applicable to this Act, and (ii) nothing in this Act shall be construed to alter or amend any of such provisions.

Approved January 2, 1976.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 94-729 accompanying H.R. 6644 (Comm. on Interior and Insular Affairs).

SENATE REPORT No. 94-361 (Comm. on Interior and Insular Affairs).

CONGRESSIONAL RECORD, Vol. 121 (1975):

Aug. 1, considered and passed Senate.

Dec. 16, considered and passed House, amended, in lieu of H.R. 6644.

Dec. 18, Senate concurred in House amendment with amendments.

Dec. 19, House concurred in Senate amendments.

B RB

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Part IV

Department of the Interior

Bureau of Land Management

Federal Installations; Implementation of
Section 3(e) of the Alaska Native Claims
Settlement Act; Final Rule

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Part 2650

(Circular No. 2478)

Federal Installations; Implementation of Section 3(e) of the Alaska Native Claims Settlement Act

AGENCY: Bureau of Land Management, Interior.

ACTION: Final rulemaking.

SUMMARY: This final rulemaking provides the procedures to be used by the Secretary of the Interior to carry out the provisions of section 3(e) of the Alaska Native Claims Settlement Act. The procedure will be used to determine which lands held by Federal departments or agencies were in actual use during the time prescribed in the Act and which such lands were not in actual use and can be conveyed to Native Corporations under the Act.

EFFECTIVE DATE: November 21, 1980.

FOR FURTHER INFORMATION CONTACT: Beaumont McClure, (202) 343-8511

or Robert C. Bruce, (202) 343-8735

or Robert Arnold, Bureau of Land Management, 701 C Street, Box 3, Anchorage, Alaska 99513, (907) 271-5760.

SUPPLEMENTARY INFORMATION: On September 18, 1979, proposed rulemaking was published in the Federal Register (44 FR 54254). Comments were invited for 60 days ending November 19, 1979. Written responses were received from the State of Alaska, the Department of Transportation, the Alaska Railroad, Alaska Federation of Natives, Inc., Bering Straits Native Corporation, Bristol Bay Native Corporation, Calista Corporation, Choggiung, Chugach Natives, Inc., Eklutna Inc., Galena, Gana-a' yoo, Ltd., Holy Cross, Koniag, Inc., Interior Village Association, Northway, Sealaska Corporation, Unalakleet Native Corporation and Yak-Tat Kwaan, Inc. These responses have been reviewed and analyzed.

Generally, those who commented expressed the opinion that the proposed rulemaking was necessary in order to carry out the Congressional intent of section 3(e) of the Alaska Native Claims Settlement Act. This rulemaking sets up the general guidelines under which the Department of the Interior will determine which lands held by Federal agencies are available for conveyance to Native corporations under this part. It is

important to note that the status of each tract will be addressed by the Bureau of Land Management on a case-by-case basis. It is impossible in one rulemaking to take into account all of the individual issues which could affect section 3(e) determinations. For this reason, the final rulemaking does not contain specific examples.

The comments also recommended specific changes that would make the final rulemaking clearer and more understandable. The following discussion summarizes the comments and suggestions received on a section-by-section basis.

Authority

It was suggested that the word "certain" be deleted from the phrase "certain Federal installations in Alaska" as it appeared in the proposed rulemaking. As explained in the section on "lands subject to determination", the provisions of section 3(e) of the Alaska Native Claims Settlement Act and this rulemaking apply to Federal installations located within areas withdrawn by sections 11(a)(1), 16(a), or 16(d) or selected in accordance with section 14(h)(8)(B). Since the Federal lands subject to determination are specifically identified in the final rulemaking, the word "certain" has been deleted.

Definitions

This section received the largest number of comments, generally suggesting that the definitions were incomplete or unclear. After careful analysis and in response to comments, the definitions section of the final rulemaking defines three terms—"holding agency", "appropriate selection period" and "State Director". Other terms which appeared in the definitions section of the proposed rulemaking are now contained in a new section, "Criteria for determination". The term "smallest practicable tract" is contained in the Authority section, which uses that term as it is used in the Alaska Native Claims Settlement Act.

A definition of the term "holding agency" has been added. The term was added in response to a comment that the agency actually controlling the lands may not necessarily be the agency which was using the lands on December 18, 1971. The term "Federal installation" as used in the proposed regulations defined the lands subject to determination and is now addressed in the section on "Criteria for determination".

The term "appropriate selection period" was added as suggested by one comment, in order to avoid the

questions raised by § 2855.1(c) (1), (2) and (3) in the proposed rulemaking, which listed specific time periods for selection. Since the Alaska Native Claims Settlement Act itself, its implementing regulations and subsequent congressional enactments, list the appropriate selection periods for Native corporations, it is unnecessary to include that information in this final rulemaking. This will avoid amending the regulations each time Congress acts on selection periods. The third definition added to the final rulemaking is "State Director" which means Director, Alaska State Office, Bureau of Land Management.

Lands Subject to Determination

This section of the proposed rulemaking drew a few comments which pointed out three omissions in the first paragraph of the section. First, there is no mention of Federal department or agency lands located within the areas withdrawn; second, the withdrawal authorities cited should include section 16(d) of the Alaska Native Claims Settlement Act; and third, there is no reference in the paragraph to selections made by the regional corporation for southeast Alaska under section 14(h)(8)(B) of the Act. These omissions have been corrected. The final rulemaking does not include a reference to section 11(a)(3) of the Act as suggested in some comments. This change is not appropriate since determinations pursuant to section 3(e) of the Act do not apply to lands withdrawn under section 11(a)(3). As explained above, several comments questioned the need for stating specific selection periods and this has been deleted.

Criteria for Determination

This section has been added to further clarify the procedures for making a determination and clarify some of the misunderstanding expressed in the comments on the definitions section. Almost all of the comments found the definitions section of the proposed rulemaking unclear. Therefore, the final rulemaking has been redrafted to reflect the three criteria which the Bureau of Land Management will use in order to make a 3(e) determination as to whether the lands are public lands and, thus, subject to conveyance to a Native corporation. These criteria, which were previously reflected but not expressly stated in the definitions section are: (1) Nature and time of use, (2) area to be retained by the Federal agency, and (3) interest to be retained by the Federal agency. Each point will be discussed individually.

(1) *Nature and time of use*—This criterion derives from § 2855.0-5(a)(1), in the proposed rulemaking and sets out three provisions. The first is that the use must be for a purpose "directly and necessarily connected with a Federal agency as of December 18, 1971". The comments suggested this language would more clearly reflect the intent of section 3(e) than the language in the proposed rulemaking.

The second provision is that the activity must be continuous, depending on the type of use, throughout the appropriate selection period. Two aspects of this provision need to be addressed. The final rulemaking provides that use by the agency during the entire selection period is necessary in order for the lands to be exempt from Native selection. This provision represents a compromise between those comments which favored establishing each agency's use solely on the basis of use on December 18, 1971, and those comments which expressed the view that use at any time during the appropriate selection period and, in some cases, proposed or future use, should make the lands subject to retention by the agency. The provision that use should be continuous, considering the type of use, reflects this compromise.

The third provision is that the agency claiming the land, if different from the agency using the land on December 18, 1971, must have a similar function to that of the original using agency. Again, this portion of the final rulemaking serves to assure that ongoing agency activities are not disrupted, while at the same time precluding Federal agencies performing new and different functions from asserting rights superior to the selecting Native corporations.

(2) *Area to be retained by the Federal agency*—This criterion derives from §§ 2855.0-5 (a) and (b) in the proposed rulemaking. The first subsection of this section of the final rulemaking states that the area which the Federal agency can retain shall be no bigger than reasonably necessary to support the agency's use. This provision responds to those comments which found inclusion of this provision in the definitions section confusing and repetitive; and further clarifies "smallest practicable tract". The next subsection requires that the tract in question be described in appropriate terms (i.e., by the U.S. survey, smallest aliquot part, metes and bounds or protraction diagram). This provision comes from § 2855.2(a)(2) of the proposed rulemaking and responds to comments which requested an explanation. The third provision lists

those types of agency use which fall within the definition of section 3(e), i.e., "land actually used in connection with the administration of Federal installations." This provision is essentially a restatement of §§ 2855.0-5 (a) and (b) in the definitions section of the proposed rulemaking in response to those comments which objected to the inclusion of these items in the definitions section. Improved lands, in subparagraph (A) of § 2855.2(b)(3) are a category of lands that most comments felt qualified as actually being used. Some comments thought subparagraph (B) of that section, concerning buffer zones, should be omitted. However, the regulation reflects the comments which felt that reasonable buffer zones were legitimate actual uses of lands by Federal agencies under the section 3(e) definition. Subparagraph (C) includes unimproved lands used for storage as lands retainable by Federal agencies. It is another clarification of § 2855.0-5(a)(1), of the proposed rulemaking in response to comments.

There were many comments on subparagraph (D) of § 2855.2(b)(3) of the proposed rulemaking concerning gravel. The final rulemaking states that lands containing gravel can be retained by the agency if the use is in direct connection with the agency's purposes. In response to comments which found the proposed rulemaking's "immediate future" standard not justified by the statutory definition nor administratively practical, the Department of the Interior uses the end of the appropriate selection period. This is consistent with the section on "Nature and time of use" as applied to all other Federal lands. Again, this provision reflects a compromise between those comments which indicated the agency's use should be limited to those occurring on December 18, 1971, and those comments which suggested that some uses could extend to an indefinite time in the future.

Subparagraph (E) of § 2855.2(b)(3) is a restatement of §§ 2855.0-5 (a)(3) and (b) of the proposed rulemaking. Agencies will be able to retain lands used by a third party which are directly connected to the holding agency's purposes, but lands used primarily to derive revenue will be available for Native selection.

Although two comments objected to wording in the proposed rulemaking that excludes from lands actually used, those lands which produce revenues for the holding agency if such revenue production can be defined as falling within the mandate of their statutory authority, this language has been retained. The statutory mandates can be interpreted so broadly as to cover

almost any kind of revenue production, thereby defeating the intent of the Alaska Native Claims Settlement Act.

(3) *Interest to be retained by Federal agency*. This provision deals with the issue raised in § 2855.2(c)(2) of the proposed rulemaking, namely when easements will be retained and under what authority. In most instances, the holding agency shall retain a full fee interest in the tract; however, the Department has determined that rights-of-way and electronic, light or visibility clear zones may be reserved as easements under section 17(b) of ANCSA and BLM's regulations 43 CFR 2850.4-7. This is consistent with the authority and the intent of section 16(b) of ANCSA and will fully protect the Federal interest. The consultation provisions for section 17(b) easements will govern in the cases where easements are reserved.

Determination Procedures

This section has been amended to remove ambiguities and thus make the procedure easier for the public, Federal agencies and the Bureau of Land Management to understand and follow. Paragraph (a) has been reworked as suggested by comments. It incorporates information contained in the first two sentences of § 2855.2 and paragraphs (d), and (f) of the proposed rulemaking concerning notice, submission of information and time extensions. Two changes were made. At the request of one comment, the information, including maps, should be furnished in triplicate for administrative convenience. As a result of several comments, the final rulemaking provides that the State Director shall provide copies of the information submitted by the holding agency to affected Native corporations.

Another change from the proposed rulemaking is the provision for time extensions of 60 rather than 90 days. Several comments objected to the granting of a 90-day extension saying that it would unduly delay the decision process, while others opposed any extensions. Therefore, the final rulemaking provides for a 60-day extension, which should be adequate for completion of information gathering, yet at the same time reduce the time lag on a determination.

Paragraph (b) of the section in the final rulemaking on determination procedures is essentially the same as paragraph (a) in the proposed rulemaking concerning the information to be furnished by the agency. One change suggested by a comment was that the information be submitted for each discrete tract subject to a determination. Another suggestion was

at the list of rights, interests, or permitted uses granted to others should include the dates of issuance and expiration. This information should prove helpful in making the section 3(e) determination, and consequently the suggestion was adopted.

Paragraph (c) in the final rulemaking incorporates paragraph (g) of the proposed rule pertaining to Native comments, and provides that Native corporations have the same time period for comment as agencies do to submit information. In order to allow for delays in mailing, the time period commences from the date of receipt of the information by the Native corporation.

Paragraph (d) concerning the burden of proof on the agency is a reworking of paragraph (c)(1), the second and third sentences of paragraph (d), and paragraph (e) of the proposed rulemaking. This stipulation resulted from one comment.

Paragraph (e) is a rewrite of paragraph (h) which clarifies points of confusion on the issuance of decision documents that were raised in several of the comments.

The discussion of whether land should be retained in full fee or as an easement as provided in paragraph (c)(2) of the proposed rulemaking has been dealt with in the criteria section.

Adverse Decisions

This section is almost identical to the proposed rulemaking. One addition to paragraph (a) is that the State Director, Alaska, be notified of the Secretary's decision.

Paragraph (b) of § 2655.4 was modified because the comments suggested that baseless appeals might be filed on any determination that was objectionable to a Federal agency or a Native interest. Also, the first sentence was changed to indicate that this provision applies whether the appeal is lodged by an agency or a Native corporation.

Editorial changes and corrections have been made as necessary.

The principal author of this final rulemaking is Beaumont McClure, Alaska Program Staff, assisted by the staff of the Office of Legislation and Regulatory Management, Bureau of Land Management, and Susan Shands of the Office of the Solicitor, Department of the Interior.

Note.—The Department of the Interior has determined that this document is not a significant regulatory action requiring the preparation of a regulatory analysis under Executive Order 12044 and 43 CFR Part 14.

Under the authority of the Alaska Native Claims Settlement Act of 1971 (43

U.S.C. 1601 et seq.), a new Subpart 2655 is added to Part 2650, Group 2600, Subchapter B, Chapter II, Title 43 of the Code of Federal Regulations as set forth below.

Guy R. Martin,
Assistant Secretary of the Interior,
October 17, 1980.

Subpart 2655—Federal Installations

Sec.

2655.0-3 Authority.

2655.0-5 Definitions.

2655.1 Lands subject to determination.

2655.2 Criteria for determinations.

2655.3 Determination procedures.

2655.4 Adverse decisions.

Authority: Alaska Claims Settlement Act of 1971 (43 U.S.C. 1601 et seq.).

Subpart 2655—Federal Installation

§ 2655.0-3 Authority.

Section 3(e)(1) of the act provides that the Secretary shall determine the smallest practicable tract enclosing land actually used in connection with the administration of Federal installations in Alaska.

§ 2655.0-5 Definitions.

As used in this subpart, the term:

(a) "Holding agency" means any Federal agency claiming use of a tract of land subject to these regulations.

(b) "Appropriate selection period" means the statutory or regulatory period within which the lands were available for Native selection under the act.

(c) "State Director" means the Director, Alaska State Office, Bureau of Land Management.

§ 2655.1 Lands subject to determination.

(a) Holding agency lands located within areas withdrawn by sections 11(a)(1), 16(a), or 16(d) of the act and subsequently selected by a village or regional corporation under sections 12 or 16, or selected by the regional corporation under sections 12 or 16, or selected by the regional corporation for southeast Alaska in accordance with section 14(h)(8)(B) are subject to a determination made under this subpart.

(b) Lands in the National Park System, lands withdrawn or reserved for national defense purposes and those former Indian reserves elected under section 19 of the act are not subject to a determination under section 3(e)(1) of the act or this subpart. Lands withdrawn under section 11(a)(3) or 14(h), except 14(h)(8)(B), of the act do not include lands withdrawn or otherwise appropriated by a Federal agency and, therefore, are not subject to a determination under section 3(e)(1) of the act of this subpart.

§ 2655.2 Criteria for determinations.

Land subject to determination under section 3(e)(1) of the act will be subject to conveyance to Native corporations if they are determined to be public lands under this subpart. If the lands are determined not to be public lands, they will be retained by the holding agency. The Bureau of Land Management shall determine:

(a) Nature and time of use.

(1) If the holding agency used the lands for a purpose directly and necessarily connected with the Federal agency as of December 18, 1971; and

(2) If use was continuous, taking into account the type of use, throughout the appropriate selection period; and

(3) If the function of the holding agency is similar to that of the Federal agency using the lands as of December 18, 1971.

(b) Specifications for area to be retained by Federal agency.

(1) Area shall be no larger than reasonably necessary to support the agency's use.

(2) Tracts shall be described by U.S. Survey (or portion thereof), smallest aliquot part, metes and bounds or protraction diagram, as appropriate.

(3) Tracts may include:

(i) Improved lands;

(ii) Buffer zone surrounding improved lands as is reasonably necessary for purposes such as safety measures, maintenance, security, erosion control, noise protection and drainage;

(iii) Unimproved lands used for storage;

(iv) Lands containing gravel or other materials used in direct connection with the agency's purpose and not used simply as a source of revenue or services. The extent of the areas reserved as a source of materials will be the area disturbed but not depleted as of the date of the end of the appropriate selection period; and

(v) lands used by a non-governmental entity or private person for a use that has a direct, necessary and substantial connection to the purpose of the holding agency but shall not include lands from which proceeds of the lease, permit, contract, or other means are used primarily to derive revenue.

(c) Interest to be retained by Federal agency.

(1) Generally, full fee title to the tract shall be retained; however, where the tract is used primarily for access, electronic, light or visibility clear zones or right-of-way, an easement may be reserved in lieu of full fee title where the State Director determines that an easement affords sufficient protection, that an easement is customary for the

particular use and that it would further the objectives of the act.

(2) Easements reserved in lieu of full fee title shall be reserved under the provisions of section 17(b) of the act and § 2850.4-7 of this title.

§ 2855.3 Determination procedures.

(a) The State Director shall make the determination pursuant to the provisions in this subpart. Where sufficient information has not already been provided, the State Director shall issue written notice to any Federal agency which the Bureau of Land Management has reason to believe might be a holding agency. The written notice shall provide that the information requested be furnished in triplicate to the State Director within 90 days from the receipt of the notice. Upon receipt of information the State Director will promptly provide affected Native corporations with copies of the documents. Upon adequate and justifiable showing as to the need for an extension by the holding agency, the State Director may grant a time extension up to 60 days to provide the information requested in this subpart.

(b) The information to be provided by the holding agency shall include the following for each tract which is subject to determination:

(1) The function and scope of the installation;

(2) A plottable legal description of the lands used;

(3) A list of structures or other alterations to the character of lands and their function, their location on the tract, and date of construction;

(4) A description of the use and function of any unaltered lands;

(5) A list of any rights, interests or permitted uses the agency has granted to others, including other Federal agencies, along with dates of issuance and expiration and copies of any relevant documents;

(6) If available, site plans, drawings and annotated aerial photographs delineating the boundaries of the installation and locations of the areas used; and

(7) A narrative explanation stating when Federal use of each area began; what use was being made of the lands as of December 18, 1971; whether any action has taken place between December 18, 1971, and the end of the appropriate selection period that would reduce the area needed, and the date this action occurred.

(c) The State Director shall request comments from the selecting Native corporation relating to the identification of lands requiring a determination. The period for comment by the Native

corporation shall be as provided for the agency in § 2855.3(a) of this title, but shall commence from the date of receipt of the latest copy of the holding agency's submission.

(d) The holding agency has the burden of proof in proceedings before the State Director under this subpart. A determination of the lands to be retained by the holding agency under section 3(e) of the act and this subpart shall be made based on the information available in the case file. If the holding agency fails to present adequate information on which to base a determination, all lands selected shall be approved for conveyance to the selecting Native corporation.

(e) The results of the determination shall be incorporated into appropriate decision documents.

§ 2855.4 Adverse decisions.

(a) Any decision adverse to the holding agency or Native corporation shall become final unless appealed to the Alaska Native Claims Appeal Board in accordance with 43 CFR Part 4, Subpart J. If a decision is appealed, the Secretary may take personal jurisdiction over the matter in accordance with 43 CFR Part 4.5. In the case of appeals from affected Federal agencies, the Secretary may take jurisdiction upon written request from the appropriate cabinet level official. The requesting official, the State Director and any affected Native corporation shall be notified in writing of the Secretary's decision regarding the request for Secretarial jurisdiction and the reasons for the decision shall be communicated in writing to the requesting agency and any other parties to the appeal.

(b) When an appeal to a decision to issue a conveyance is made by a holding agency or a Native corporation on the basis that the Bureau of Land Management neglected to make a determination pursuant to section 3(e)(1) of the act, the matter shall be remanded by the Alaska Native Claims Appeals Board to the Bureau of Land Management for a determination pursuant to section 3(e)(1) of the act and these regulations: *Provided*, That the holding agency or Native corporation has reasonably satisfied the Board that its claim is not frivolous.

[FR Doc. 80-32856 Filed 10-21-80; 8:45 am]

BILLING CODE 4310-04-02

ANALYSIS
OF
ECONOMIC DEVELOPMENT
RIGHTS
ON ALASKA NATIVE LANDS
AND
LIMITED RESTRICTIONS ON
THESE LANDS AS DEFINED FOR DEVELOPMENT
BY P.L. 92-203 ANCSA, P. L. 93-153,
P. L. 94-204, P. L. 94-456, P. L. 95-178
P. L. 95-600, P. L. 96-55, and
P. L. 96-487 ANILCA D2

RESEARCH PAPER ONLY
not to be used as an official
position of the State
this paper represents the
findings of the
author only and requires legal
review for validity of findings.

Prepared by:

Bruce R. Bedard
March 27, 1982

P. L. 92-203 12-18-71 ANCSA

Sec. 2(b) Declaration of Policy

Real Economic and social needs of natives, without litigation, with maximum participation by natives in decisions affecting their rights and property.

Sec. 2(G) No provision of this Act shall be construed to terminate or otherwise curtail the activities of the Economic Development Administration or other federal agencies conducting loan or loan and grant programs in Alaska. For this purpose only, the terms "Indian Reservation" and "Trust or restricted Indian-owned land areas" in Public Law 89-136, the Public Works and Economic Development Act of 1965. As amended, shall be interpreted to include lands granted to natives under this Act as long as such lands remain in the ownership of the native villages or the regional corporations.

Regional Corporations

Sec. 7(h)(i). Organized under the laws of the State of Alaska as a business corporation for profit. (See Sec. (7)(D)). (Cannot sell stock or use as collateral until December 19, 1991.)

Sec. 7(O). Report to Secretary of Interior, and the Committees on Interior and Insular Affairs of the Senate and the House of Representative. (Note here is concern that economic development is reviewed by Congress) (Does not apply to villages because villages are responsible to the Region.)

Statute of Limitations

Sec. 10(a). The right, Title and interest of the United States, the natives and the State of Alaska will vest with certainty and finality and may be relied upon by all other persons in their relations with the State, the natives, and the United States. (Note here natives rights supersede state rights on economic viable land see Sec. 10(B)).

Sec. 10(B). In the event that the State initiates litigation or voluntarily becomes a party to litigation to contest the authority of the United States to legislate on the subject matter or the legality of this act, all rights of land selection granted to the State by the Alaska Statehood Act shall be suspended as to any public lands which are determined by the Secretary to be potential valuable for mineral development, timber, or other commercial purposes, and no selections shall be made, no tentative approvals shall be granted, and no patents shall be issued for such lands during the pending of such litigation. (72 Stat. 339 48 USC prec. 21 note)

Conveyance of Lands

Sec. 14.(f). Provided the right to explore, develop or remove minerals from the subsurface estate in the lands within the boundaries of any Native village shall be subject to the consent of the village corporation. (Village powers over the region).

Sec. 14(h)(1). Cemetery sites, Historical Sites (Conveyed to natives for their management and ownership) (Archaeological sites included).

Joint Federal-State Land Use Planning Commission for Alaska.

Sec. 17(10)(D)(1). Federal D-1 Lands not closed to native selections.

Sec. 17(10)(D)(2)(A). Creation of the D-2 Bill not barring native villages to select lands in these areas, only regional corporations. (This is the criteria that set the stage for environmental protection for the future so that the natives and the State could select the lands they needed for economic development.)

Revocation of Reservations

Sec. 19(a). Revoked all reserves in Alaska except Metlakatla Indian Community.

Taxation

Sec. 21(B). Stock not taxed at any level of Government.

Sec. 21(C). Receipt of land or of cash in order to equalize the value of properties exchanged pursuant to Sec. 22(f) exempt from taxation. Subsequent sale of land can only be taxed on that difference of the value of land at time of receipt and the sales prices for profit or loss.

Sec. 21(D). Undeveloped land 20 years from date of receipt becomes subject to taxes at that time.

Miscellaneous

Sec. 22(B). All valid existing rights on native lands must have been acquired prior to August 31, 1971. (Homesteads, headquarters sites, trade and manufacturing sites, small tract sites and mining claims.) and must also fulfill all requirements of the law prerequisite to obtaining a Federal patent.)

Sec. 22(G). National Wildlife Refuge is the only stipulations for federal control to development, where natives have land selections.

Sec. 22(K) is the only stipulation relating to timber resources owned by natives on national forest. That they must manage and protect the enhancement of environmental quality no less stringent than such management practices on adjacent national forest lands for a period of twelve years.

Saving Clause

Sec. 26 to the extent that there is a conflict between any provision of this Act and any other Federal laws applicable to Alaska, the provisions of this Act shall govern.

P. L. 94-204 January 2, 1976

"Temporary Exemption from Securities Laws"

Sec. 28 not subject to the Securities Act of 1933, Investment Company Act 1940 and the Securities Exchange Act of 1934 until December 31, 1991.

Sec. 12(a). The purpose of this section is to provide for the settlement of certain claims and in so doing to consolidate ownership among the United States, the Cook Inlet Region, Inc. and the State of Alaska, within the Cook Inlet area of Alaska in order to facilitate land management and to create land ownership patterns which encourage settlement and development in appropriate areas. (Conditions of a land exchange Federal, State and Natives.)

Sec. 12(E). The Secretary may, notwithstanding any other provision of law to the contrary, convey title to lands and interest in lands selected by Native Corporations within the exterior boundaries of power site classification 443 February 13, 1958, to such corporations, subject to the reservations required by Section 24 of the Federal Power Act. This conveyance shall be considered and treated as a conveyance under the Settlement Act. (Susitna Project area.)

Sec. 12(F). All conveyances of lands made or to be made by the State of Alaska in satisfaction of the terms and conditions of the document referred to in Subsection (B) of this section shall pass all of the State's right, title, and interest in such lands, including the minerals therein, as if those conveyances were made pursuant to Section 22(f) of the Settlement Act, except that dedicated or platted section line easements and right-of-way and other rights-of-way may be reserved to the State.

Sec. 15(a). Note here Congress had to specify restraints to Native selections on Kodiak Island that were on National Park lands by PLO 5179 stating the conditions on development to protect the ecology from permanent harm.

P. L. 96-487 ANILCA December 2, 1980

Purpose, Definitions

Sec. 101(C) to provide the opportunity for rural residents engaged in a subsistence way of life to continue to do so. (Allowance for subsistence use to continue.)

Sec. 101(D). This Act provides sufficient protection for the national interest in the scenic, natural, cultural, and environmental values on the public lands in Alaska, and at the same time provides adequate opportunity for satisfaction of the economic and social needs of the State of Alaska and its people; accordingly, the designation and disposition of the public lands in Alaska pursuant to this Act (Native Land Claims) are found to represent a proper balance between the reservation of national conservation system units and those public lands necessary and appropriate for more intensive use and disposition and thus Congress behooves that the need for future legislation designating new conservation system units new National Conservations areas or new national recreation areas, has been obviated hereby.

(It is interesting to note here the intent of Congress is for economic development on remaining federal lands in Alaska and this seem interest is applicable to the Native and State Lands but more so to the native lands as defined in ANCSA.)

It must be made clear that Native lands are not public lands, they are private lands and enjoy the same rights as the State on its lands, and other rights that ANCSA has given them. They are not subject to the Subsistence laws, and can close these lands to hunting pressures or trespass of any nature. It is by an Act of Congress and a large taxation issue that economic development will take place on Native lands between now and 1992 or twenty (20) year from date of conveyance and pressures from shareholders who will want a return on their stock holdings.

Sec. 103(C). No lands which, before, on or after the date of enactment of this Act are conveyed to the State, to any native Corporation or to any private party shall be subject to the regulations applicable solely to public lands within such units.

Sec. 708(4) unless expressly authorized by Congress, the Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of National Forest System lands in the State of Alaska for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.

Sec. 801(4) in order to fulfill the policies and purposes of the Alaska Native Claims Settlement Act and as a matter of equity, it is necessary for the Congress to invoke its Constitutional authority over native

affairs and its Constitutional authority under the property clause and the Commerce clause to protect and provide the opportunity for continued subsistence uses on the public lands by native and non-native rural residents;

(5). Subsistence way of life require that an administrative structure be established by the State.

Sec. 901(a). Submerged Lands Statute of Limitation.

Native lands that the water covering such parcel is not navigable, shall not be subject to judicial determination unless a civil action is filed in the U. S. District Court within five years of interim conveyance. (Reference 67 Stat. 29 Navigable as determined by BLM.)

Sec. 904(d)(1)(2) Tax Moratorium.

Developed, leased lands, to third parties that are native lands can be taxed immediately, all other lands have a twenty (20) year period from date of conveyance.

Sec. 906(N)(2)(3). Cook Inlet Regions Rights to land selections.

P. L. 94-204 are superior to the State.

Natives have selected lands such as Susitna that come under this.

Sec. 907. Whole section Land Bank promise not to develop for a period of ten years, etc.

National Environmental Policy Act

Sec. 910. The NEPA Act of 1969 (83 Stat. 852) shall not be construed, in whole or part, as figuring the preparation or submission of an environmental impact statement for withdrawals, conveyances, regulations, orders, easement determinations, or other actions which lead to the issuance of conveyances to natives or native corporations, pursuant to the Alaska Native Claims Settlement Act or this Act, nothing in this section shall be construed as affirming or denying the validity of any withdrawals by the Secretary under Section 14(h)(3) of the Alaska Native Claims Settlement Act.

Sec. 1307(a),(B),(1),(2),(3). Revenue Producing Visitor Services Native Rights to develop, manage and hire on Federal D-2 Lands.

Sec. 1311(a). Scenic Highway Study.

Transmission line Susitna could have an impact. Denali Highway access to Watana could have an impact. Not affected at present.

Sec. 138 Archaeological Preservation

Native assistance and technical advice for preservation, display and interpretation of cultural resources. (Recognition of native ownership and management responsibility.)

Sec. 1323(a) Access

The Federal Government to provide access to private lands under the Federal Land Policy Management Act 1976 (43 USC 1701-82).

Sec. 1410. Interim Conveyances will be treated with the same rights as patented land to natives only.

The author's opinion is that the lands conveyed to Native Alaskans are economic development lands and that any State laws or local zoning laws to do otherwise or procedure to block access to native lands for economic development would be in violation of the Constitutional intent of Congress and the Acts related to the issuance of Native Lands.

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Date PLO signed: 03/09/72

(Public Land Order 5174)

ALASKA

Withdrawals for Selections by Village Corporations and Regional Corporation in Cook Inlet Region and for Classification for Lands in Withdrawals

By virtue of the authority vested in the Secretary of the Interior in section 11(a)(3) of the Alaska Native Claims Settlement Act, 85 Stat. 663, 696 (hereinafter called the "Act"), it is ordered as follows:

1. Subject to valid existing rights and prior appropriations, the following described lands are hereby withdrawn from all forms of appropriation under the public land laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 330, and from location and entry under the mining laws, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), and are hereby reserved: (a) for selection under section 12 of said Act by the corporations established pursuant to section 8 of said Act for the villages named below (hereinafter called "Village Corporations"); and (b) for reallocation to Village Corporations under section 12(b) of said Act by the corporation established pursuant to section 7 of said Act as the Regional Corporation for the approximate area covered by the operations of the Cook Inlet Association (said corporation being referred to hereinafter as the "Regional Corporation"):

a. Tyonek:

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 10 N., R. 16 W. (W. 1/4).
T. 10 N., Rs. 17 to 20 W.
T. 11 N., Rs. 17 to 20 W.
T. 12 N., Rs. 16 to 20 W.
T. 13 N., Rs. 16 to 20 W.
T. 14 N., Rs. 16 to 20 W.
T. 15 N., Rs. 15 to 20 W.
T. 16 N., Rs. 15 to 20 W.
T. 17 N., Rs. 15 to 20 W.
T. 18 N., Rs. 15 to 20 W.
T. 19 N., Rs. 15 to 18 W.
T. 20 N., Rs. 15 to 17 W.

The area described aggregates approximately 1,253,500 acres.

b. Exhumat:

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 12 N., Rs. 4 and 5 E.
T. 13 N., Rs. 4 to 6 E.
T. 14 N., Rs. 4 to 7 E.
T. 15 N., Rs. 4 to 8 E.
T. 16 N., Rs. 4 to 10 E.
T. 17 N., Rs. 4 to 10 E.
T. 18 N., Rs. 4 to 10 E.
T. 19 N., Rs. 4 and 7 E.

T. 20 N., R. 3 E.
T. 21 N., Rs. 1 to 5 E.
T. 22 N., Rs. 1 to 4 E.
T. 23 N., R. 1 E.
T. 21 N., Rs. 1 and 2 W.
T. 22 N., Rs. 1 and 2 W.

The area described aggregates approximately 1,043,230 acres.

2. After each Village Corporation has exhausted its rights of selection under subsections 12(a) and 12(b) of said Act in the area withdrawn in its behalf in paragraph 1 of this order, said Regional Corporation may select any of the remaining lands under section 12 of said Act.

3. Prior to the conveyance of any of the lands withdrawn by this order to any Village Corporation or said Regional Corporation, the lands shall be subject to administration by the Secretary of the Interior under applicable laws and regulations, and his authority to make contracts and to grant leases, permits, rights-of-way, or easements shall not be impaired by this withdrawal. Applications for leases under the Mineral Leasing Act, supra, will be rejected until this order is modified or the lands are appropriately classified to permit mineral leasing.

4. By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 29, 1952 (17 F.R. 4331), and by virtue of the authority vested in the Secretary of the Interior in section 17(d)(1) of said Act, it is ordered as follows:

Subject to valid existing rights, the lands described in paragraph 1 of this order are hereby withdrawn from all forms of appropriation under the public land laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 330, and from location and entry under the mining laws, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), but not from selection pursuant to section 12 of said Act by corporations formed pursuant to section 7 or section 8 of said Act, and are hereby reserved for study and review by the Secretary of the Interior for the purpose of classification or reclassification of any lands not conveyed pursuant to section 14 of said Act.

5. It is hereby determined that the promulgation of this public land order is not a major Federal action significantly affecting the quality of the human environment and that no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C., section 1322(2)(C) is required.

ROBERTS C. B. MORTON,
Secretary of the Interior.

MARCH 9, 1972.

[FR Doc. 72-3940 Filed 3-15-72; 9:45 am]

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[Public Land Order 5180]

ALASKA**Withdrawal of Lands for Classification
and for Protection of Public Interest
in Lands**

By virtue of the authority vested in the President by the Act of June 25, 1910, as amended, 43 U.S.C. section 141 (1970), and pursuant to Executive Order No. 10355 of May 25, 1953 (17 F.R. 4321), and by virtue of the authority vested in the Secretary of the Interior by section 17 (d) (1) of the Alaska Native Claims Settlement Act, 85 Stat. 682, 703, it is ordered as follows:

1. Subject to valid existing rights, the following described lands are hereby withdrawn from all forms of appropriation under the public land laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws (except locatable for metallic minerals), 20 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), and are hereby reserved for study to determine the proper classification of the lands under section 17(d) (1) of said Alaska Native Claims Settlement Act, and to ascertain the public value in the land which need protection:

BY AND FOR THE UNITED STATES**PROTRACTED DESCRIPTIONS**

T. 12 N., R. 6 E.
T. 12 N., Rs. 7, 10, and 11 E. (fractional).
T. 13 N., Rs. 7, 8, 11, and 12 E.
T. 13 N., Rs. 9 and 10 E. (fractional).
T. 14 N., Rs. 8, 9, 11, and 12 E.
T. 14 N., R. 10 E. (fractional).
T. 15 N., Rs. 9 and 10 E.
T. 25 N., Rs. 1 through 12 E.
T. 30 N., Rs. 1 through 12 E.
T. 31 N., Rs. 1 through 12 E.
T. 32 N., Rs. 1 through 12 E.
T. 23 N., Rs. 1 through 12 E. (fractional).
T. 1 N., Rs. 36, 61 through 66 W.
T. 2 N., Rs. 36, 61 through 66 W.
T. 3 N., Rs. 36, 61 through 66 W.
T. 4 N., Rs. 34, 35, 38, 61 through 66 W.
T. 5 N., Rs. 61 through 66 W.
T. 6 N., Rs. 60 through 63 W.
T. 7 N., Rs. 60 through 63 W.
T. 8 N., Rs. 60 through 63 W.
T. 9 N., Rs. 59 through 61 W.
T. 10 N., Rs. 59 through 63 W.
T. 11 N., Rs. 60 and 60 W.
T. 12 N., Rs. 58 and 60 W.
T. 12 N., Rs. 56 through 59 W.
T. 14 N., Rs. 58 through 59 W.
T. 17 N., Rs. 56 and 57 W. (fractional).
T. 12 N., Rs. 32 through 37 W.
T. 19 N., Rs. 32 through 37 W.
T. 20 N., Rs. 32 through 37 W.
T. 21 N., Rs. 32 through 37 W.
T. 22 N., Rs. 32 through 37 W.

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T. 23 N., Rs. 33 through 37 W.
T. 24 N., Rs. 33 through 37 W.
T. 25 N., Rs. 30 through 35 W.
T. 26 N., Rs. 29 through 35 W.
T. 27 N., Rs. 27 through 35 W.
T. 28 N., R. 38 W.
T. 29 N., Rs. 1 and 2 W.
T. 29 N., R. 25 W. (fractional).
T. 29 N., Rs. 26 through 33 and 36 through 38 W.
T. 30 N., Rs. 1 and 2 W.
T. 30 N., R. 25 W. (fractional).
T. 30 N., Rs. 26 through 33 and 36 through 38 W.
T. 31 N., R. 1 W.
T. 31 N., Rs. 39 through 42 W.
T. 32 N., R. 1 W.
T. 32 N., Rs. 30 through 32 W.
T. 33 N., Rs. 30 and 31 W.
T. 1 S., Rs. 37, 38, 43 through 50, and 61 through 63 W.
T. 2 S., Rs. 37, 38, 43 through 50, and 61 through 63 W.
T. 3 S., Rs. 37, 38, 43, 44 through 50, and 61 through 63 W.
T. 4 S., Rs. 37, 38, 43, 44 through 50, and 61 through 63 W.
T. 5 S., Rs. 43, 44, 50 through 53, 67 and 68 W.
T. 6 S., Rs. 43, 44, 50 through 53, 67 and 68 W.
T. 7 S., Rs. 43, 44, 51, 52, 53, 67 and 68 W.
T. 8 S., Rs. 43, 44, 51, 52, 53 W.
T. 9 S., Rs. 43, 44, 51, 52, 53 W.
T. 10 S., Rs. 52 and 53 W.
T. 11 S., R. 52 W.
T. 12 S., Rs. 48 through 53 W.
T. 13 S., R. 49 W.
T. 14 S., R. 49 W.
T. 15 S., Rs. 67 and 68 W. (fractional).
T. 17 S., R. 44 W.
T. 17 S., Rs. 68 and 69 W. (fractional).
T. 18 S., R. 44 W.
T. 19 S., Rs. 68 and 69 W. (fractional).
T. 19 S., Rs. 63 and 64 W.
T. 20 S., Rs. 43 and 44 W.
T. 20 S., R. 45 W. (fractional).
T. 20 S., R. 46 W. (fractional).
T. 27 S., R. 46 W. (fractional).
T. 28 S., Rs. 46 and 47 W.
T. 29 S., R. 47 W.
T. 30 S., Rs. 46 and 47 W.
T. 31 S., Rs. 46 and 47 W.
T. 32 S., Rs. 46 and 47 W.
T. 33 S., Rs. 46 through 48 W.
T. 33 S., Rs. 44 and 45 (fractional).
T. 34 S., Rs. 46 through 52 W.
T. 34 S., Rs. 44 and 45 (fractional).
T. 35 S., Rs. 46 through 50 W.
T. 35 S., Rs. 44 and 45 W. (fractional).
T. 36 S., Rs. 43 through 50 and 52 through 54 W.
T. 36 S., Rs. 45 through 47 W. (fractional).
T. 37 S., Rs. 49 through 51 W.
T. 37 S., Rs. 45 through 48 W. (fractional).
T. 38 S., Rs. 50 and 51 W.
T. 39 S., Rs. 47 through 49 W. (fractional).
T. 40 S., Rs. 49 through 51 W. (fractional).
T. 40 S., Rs. 54 through 56 W.
T. 41 S., Rs. 56 through 62 W.
T. 41 S., Rs. 54 and 55 (fractional).
T. 42 S., R. 62 W.
T. 42 S., Rs. 46 through 50 and 54 through 56 W. (fractional).
T. 43 S., Rs. 63 and 64 W.
T. 43 S., Rs. 57 through 59 W. (fractional).
T. 44 S., Rs. 59 and 55 W. (fractional).

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(Public Land Order 5186)

ALASKA

Withdrawal for Classification and Protection of the Public Interest in Lands Not Selected by the State of Alaska

By virtue of the authority vested in the President by the Act of June 25, 1910, as amended, 43 U.S.C. section 141 (1970), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and by virtue of the authority vested in the Secretary of the Interior by section 17(d)(1) of the Alaska Native Claims Settlement Act of December 18, 1971, 85 Stat. 688, 708 (hereinafter called the "Act"), it is ordered as follows:

1. Subject to valid existing rights, the following described lands are hereby withdrawn from all forms of appropriation under the public land laws, including location and entry under the mining laws (except for locations for metalliferous minerals) 20 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), but not from selection by the State of Alaska under the Alaska Statehood Act, 42 Stat. 339, and are hereby reserved for study and review to determine the proper classification under section 17(d)(1) of said Act of lands not selected by the State of Alaska, so that the public interest in the lands will be protected.

FAIRBANKS MERIDIAN

(PROTRACTED DESCRIPTIONS)

T. 1 N., Rs. 6 and 8 E.
T. 1 N., R. 10 E., number of military reservation.
T. 2 N., Rs. 2, 3½, 9, and 10 E.
T. 3 N., Rs. 2 and 3 E.
T. 4 N., Rs. 1 and 2 E.
T. 8 N., Rs. 13 and 3½, 15 E.
T. 1 N., Rs. 4, 5, 11, and 12 W.
T. 2 N., Rs. 2 through 5, 11, and 12 W.
T. 2 N., Rs. 1 through 3, 11, and 12 W.
T. 4 W., Rs. 4 through 11 W.
T. 5 N., Rs. 5 through 9 W.
T. 1 S., Rs. 1, 3, and 11 through 13 W.
T. 2 S., Rs. 4 and 11 through 13 W.
T. 3 S., Rs. 4, 5, and 11 through 13 W.
T. 4 S., Rs. 8 and 11 through 13 W.
T. 5 S., Rs. 11 through 13 W.
T. 6 S., Rs. 11 through 13 W.
T. 7 S., Rs. 7 and 10 through 12 W.
T. 7 S., Rs. 8 and 9 W., south of military reservation.
T. 8 S., Rs. 7 through 10 W.
T. 9 S., Rs. 5 through 9 W.
T. 10 S., R. 6 W.
T. 11 S., R. 3 W.
T. 12 S., Rs. 3, 7, and 9 through 11 W.
T. 13 S., Rs. 8 through 11 W.
T. 14 S., Rs. 6 and 7 W.
T. 15 S., Rs. 6 and 7 W.
T. 20 S., R. 10 W.
T. 21 S., Rs. 10 and 11 W.
T. 22 S., Rs. 11 and 12 W.

T. 1 S., Rs. 3 through 6 E.
T. 1 S., R. 7 and 9 E., north of military reservation.
T. 3 S., Rs. 8 through 11 E., south of military reservation.
T. 4 S., Rs. 8 and 9 E.
T. 4 S., Rs. 5 through 7 E., south of military reservation.
T. 5 S., Rs. 5 through 8 E.
T. 5 S., R. 4 E., east of military reservation.
T. 6 S., Rs. 5 through 8 E.
T. 6 S., R. 4 E., east of military reservation.
T. 7 S., Rs. 4 through 6 E.
T. 8 S., Rs. 5 through 7 E. (all ½ townships).
T. 11 S., R. 6 E.
T. 12 S., Rs. 8, 11 and 12 E.
T. 13 S., Rs. 15 and 16 E.
T. 13 S., R. 10 E., south of military reservation.
T. 14 S., Rs. 15 and 16 E.
T. 18 S., Rs. 12 and 13 E.
T. 20 S., Rs. 11 and W½, 12 E.
T. 21 S., Rs. 9 and E½, 11 E.
T. 22 S., R. 9 E.

UNIAI MERIDIAN (PROTRACTED DESCRIPTIONS)

T. 1 N., Rs. 16 through 23 E.
T. 1 N., R. 24 E., west of Arctic National Wildlife Refuge.
T. 2 N., Rs. 12 and 16 through 23 E.
T. 2 N., R. 24 E., west of A.N.W.R.
T. 3 N., Rs. 12 and 16 through 23 E.
T. 3 N., R. 24 E., west of A.N.W.R.
T. 4 N., Rs. 9 through 12 and 16 through 23 E.
T. 4 N., R. 24 E., west of A.N.W.R.
T. 5 N., Rs. 4 through 12 and 16 through 22 E.
T. 5 N., R. 3 E., east of Naval Petroleum Reserve No. 4.
T. 5 N., R. 23 E., west of A.N.W.R.
T. 6 N., Rs. 4 through 12 and 16 through 22 E.
T. 6 N., R. 3 E., east of Naval Petroleum Reserve No. 4.
T. 6 N., R. 23 E., west of A.N.W.R.
T. 7 N., Rs. 3 through 12 and 16 through 23 E.
T. 7 N., R. 2 E., east of Naval Petroleum Reserve No. 4.
T. 7 N., R. 23 E., west of A.N.W.R.
T. 8 N., Rs. 5 through 12 and 16 through 24 E.
T. 9 N., Rs. 3 through 4 E., east of the Naval Petroleum Reserve No. 4.
T. 8 N., Rs. 25, 26 E., west of A.N.W.R.
T. 9 N., Rs. 5 through 19 and 23 E.
T. 9 N., Rs. 20, 21, and 23 through 25 E. (all fractional).
T. 9 N., R. 4 E., east of Naval Petroleum Reserve No. 4.
T. 10 N., Rs. 7 through 16 E.
T. 10 N., Rs. 17 through 25 E. (all fractional).
T. 11 N., Rs. 7 through 14 E.
T. 11 N., Rs. 15 through 20 E. (all fractional).
T. 12 N., Rs. 7 through 11 E.
T. 12 N., Rs. 12 through 18, 19 E. (all fractional).
T. 13 N., Rs. 6 through 12 E. (all fractional).
T. 1 N., Rs. 15 and 46 W. (fractional).
T. 2 N., Rs. 45 and 46 W. (fractional).
T. 8 N., Rs. 42 and 43 W. (fractional).
T. 9 N., Rs. 40 and 41 W. (fractional).
T. 10 N., Rs. 40 and 41 W. (fractional).
T. 11 N., R. 40 W. (fractional).

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SEWARD MERIDIAN (PROTRACTED DESCRIPTIONS)

T. 10 N., R. 2 E.
T. 11 N., R. 1 E.
T. 12 N., Rs. 1 through 3 E.
T. 13 N., Rs. 1 through 3 E.
T. 17 N., R. 3 E.
T. 18 N., R. 3 E.
T. 10 N., Rs. 1; N $\frac{1}{2}$ 2, 3, 4, & E.
T. 20 N., Rs. 1, 2, 4, & N $\frac{1}{2}$ 7, N $\frac{1}{2}$ 8 E.
T. 23 N., R. 12 E.
T. 24 N., R. 12 E.
T. 25 N., R. 12 E.
T. 1 N., R. 1 W. (fractional) south of Kenai National Moose Range.
T. 1 N., R. 11 W., west of Kenai National Moose Range.
T. 1 N., Rs. 54 through 57 W.
T. 2 N., R. 11 W. (fractional), west of Kenai National Moose Range.
T. 2 N., Rs. 54 through 57 W.
T. 3 N., R. 11 W., west of Kenai National Moose Range.
T. 3 N., R. 18 W. (fractional).
T. 3 N., Rs. 55 and 56 W.
T. 4 N., Rs. 15 and 16 W. (fractional).
T. 4 N., Rs. 55 and 56 W.
T. 5 N., R. 15 W. (fractional).
T. 5 N., R. 55 W.
T. 10 N., Rs. 1 and 2 W., north of Cook Inlet.
T. 11 N., Rs. 1 and 2 W.
T. 12 N., R. 2 W.
T. 12 N., R. 1 W., south of National Forest.
T. 12 N., R. 2 W.
T. 13 N., Rs. 1 and 2 W.
T. 20 N., Rs. 1 and 2 W.
T. 21 N., R. 3 W.
T. 22 N., R. 3 W.
T. 23 N., R. 3 W.
T. 24 N., R. 3 W.
T. 25 N., Rs. 3 and 4 W.
T. 26 N., Rs. 3 and 4 W.
T. 27 N., Rs. 3 and 4 W.
T. 28 N., Rs. 3 and 4 W.
T. 29 N., Rs. 3 through 5 W.
T. 30 N., Rs. 3 through 5 W.
T. 31 N., Rs. 2 through 5 W.
T. 32 N., Rs. 2 through 4 W.
T. 33 N., Rs. 2 through 4 W. (all fractional).
T. 1 S., Rs. 11 and 52 through 57 W., E $\frac{1}{2}$ 58 W.
T. 1 S., R. 1 W. (fractional).
T. 2 S., Rs. 11 W. and 53 through 57 W., E $\frac{1}{2}$ 58 W.
T. 2 S., R. 1 W. (fractional).
T. 3 S., Rs. W $\frac{1}{2}$ 9, 10, 11, and 51 through 57, E $\frac{1}{2}$ 58 W.
T. 3 S., R. 1 W. (fractional).
T. 4 S., Rs. W $\frac{1}{2}$ 9, 10, 11, N $\frac{1}{2}$ 12, and 53 through 57, E $\frac{1}{2}$ 58 W.
T. 4 S., R. 1 W. (fractional).
T. 5 S., Rs. 54 through 58 W.
T. 5 S., R. 10 W. (fractional).
T. 6 S., Rs. 54 through 58 W.
T. 6 S., R. 11 W. (fractional).
T. 7 S., Rs. 54 through 58 W.
T. 7 S., R. 11 W. (fractional).
T. 8 S., Rs. 11 and 58 W.
T. 9 S., Rs. 10 and 12 W.
T. 9 S., Rs. 8, 9, 25, and 26 W. (all fractional).
T. 10 S., Rs. 8 through 12, 25, and 26 W. (all fractional).
T. 11 S., Rs. 10 through 16 W. (all fractional).
T. 13 S., Rs. 26 through 28 W. (all fractional).
T. 13 S., Rs. 19 and 20 W. (fractional).
T. 19 S., Rs. 19, 20, and 49 W. (all fractional).
T. 20 S., Rs. 53 through 57 W.
T. 20 S., R. 52 W. (fractional).
T. 21 S., R. 40 W.

T. 22 S., Rs. 16 and 17 W. (fractional).
T. 23 S., Rs. 16 and 17 W. (fractional).
T. 24 S., Rs. 24 and 25 W. (fractional).
T. 25 S., R. 25 W. (fractional).
T. 26 S., Rs. 47 through 50 W.
T. 26 S., R. 51 W. (fractional).
T. 27 S., Rs. 47 through 50 W.
T. 27 S., R. 51 W. (fractional).
T. 28 S., R. 48 W.
T. 29 S., Rs. 18 through 20 W. (all fractional).
T. 30 S., Rs. 21 through 23 W.
T. 30 S., Rs. 18 through 20 W. (all fractional).
T. 31 S., R. 24 W.
T. 31 S., Rs. 19 through 23 and 54 W. (all fractional).
T. 32 S., R. 22 W.
T. 32 S., Rs. 21 and 54 W. (fractional).
T. 33 S., Rs. 53 and 54 W.
T. 33 S., Rs. 21, 22, and 54 through 56 W. (all fractional).
T. 34 S., Rs. 53 through 55 W.
T. 34 S., Rs. 56 and 57 W. (fractional).
T. 35 S., Rs. 51 through 56 W.
T. 36 S., Rs. 51, 56, and 57 W.
T. 37 S., Rs. 25 and 26 W. (fractional).
T. 39 S., Rs. 27 and 28 W. (fractional).
T. 40 S., Rs. 59 through 61 W.
T. 40 S., Rs. 29 through 31, 62, and 63 W. (all fractional).
T. 41 S., R. 69 W.
T. 41 S., Rs. 31 through 34 and 64 through 66 W. (all fractional).
T. 42 S., Rs. 59 through 65 W.
T. 42 S., Rs. 50 through 51 W., 68 and 67 W. (all fractional).
T. 43 S., Rs. 65 through 67 W.
T. 43 S., Rs. 24, 35, and 68 W. (all fractional).
T. 44 S., Rs. 65 through 68 W.
T. 44 S., Rs. 35, 69, and 70 W. (all fractional).

COPPER RIVER MERIDIAN (PROTRACTED DESCRIPTIONS)

T. 12 N., R. 21 E.
T. 13 N., R. 21 E.
T. 4 N., Rs. 3, 4, and 10 W.
T. 4 N., Rs. 4 and 10 W.
T. 5 N., Rs. 4, 9, and 10 W.
T. 6 N., Rs. 4, 9, and 10 W.
T. 7 N., Rs. 4 through 3 W.
T. 9 N., R. 8 W.
T. 8 S., Rs. N $\frac{1}{2}$ 2, 3, S $\frac{1}{2}$ 5, 6, and 7 W.
T. 9 S., Rs. 3, 4, 5, S $\frac{1}{2}$ 6, and S $\frac{1}{2}$ 7 W.
T. 15 S., R. 3 W.
T. 19 S., R. 17 E.
T. 20 S., Rs. 13 through 17 E.
T. 20 S., R. 12 E. (fractional).
T. 21 S., Rs. 9 through 11, and 19 through 23 E.
T. 21 S., R. W $\frac{1}{2}$ 24 E.
T. 22 S., Rs. 9, 21, and 22 E.
T. 23 S., R. 60 E.
T. 26 S., Rs. 50 and 60 E.
T. 27 S., Rs. E $\frac{1}{2}$ 53, 53, W $\frac{1}{2}$ 60 E.
T. 28 S., R. 53 E.
T. 29 S., Rs. 53 and 59 E.
T. 35 S., Rs. 67 through 69 W.
T. 45 S., Rs. 70 and 71 W. (fractional).
T. 46 S., Rs. 63 through 70 W.
T. 46 S., Rs. 71 and 72 W. (fractional).
T. 47 S., R. 69 thru 71 W.
T. 47 S., R. 72 W. (fractional).
T. 48 S., Rs. 70 and 71 W.
T. 48 S., Rs. 73 through 79 W. (all fractional).
T. 49 S., Rs. 70 and 71 W.
T. 49 S., Rs. 41 and 72 through 81 W. (all fractional).

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T. 50 S., Rs. 77 through 80 W.
T. 50 S., Rs. 41, 42, 76, and 81 W. (all fractional).
T. 51 S., Rs. 73 through 81 W.
T. 51 S., Rs. 41, 42, 75, and 82 W. (all fractional).
T. 52 S., Rs. 79 through 83 W.
T. 52 S., R. 84 W. (fractional).
T. 53 S., R. 53 W. (fractional).
T. 54 S., R. 55 W., number of Irembeck National Wildlife Refuge.
T. 1 S., Rs. 1, 2, W $\frac{1}{2}$ 3, E.
T. 2 S., Rs. 1 through 5 E. (all fractional).
T. 3 S., Rs. 1 through 5 E. (all fractional).
T. 4 S., R. 1 E. (fractional).
T. 30 S., Rs. 53 through 60 E.
T. 31 S., Rs. 59 through 61 E.
T. 32 S., Rs. NW $\frac{1}{4}$ 59, 60 and 61 E.
T. 40 S., Rs. SW $\frac{1}{4}$ 64, SW $\frac{1}{4}$ 67 E.
T. 41 S., Rs. E $\frac{1}{2}$ 66 and 67 E.
T. 55 S., Rs. 63 and W $\frac{1}{2}$ 64 E.
T. 56 S., Rs. NE $\frac{1}{4}$ 63 and NW $\frac{1}{4}$ 64 E.
T. 73 S., R. 90 E. (fractional).

COPPER RIVER MERIDIAN (PROTRACTED DESCRIPTIONS)

T. 16 N., Rs. 6 and 7 E.
T. 17 N., Rs. 5 through 7 E.
T. 18 N., Rs. 5 through 7 E.
T. 19 N., Rs. 5 through 7 E.

PARBANKS MERIDIAN (PROTRACTED DESCRIPTIONS)

T. 2 N., Rs. 3 through 5 E.
T. 2 N., R. 6 E., W $\frac{1}{2}$.
T. 3 N., Rs. 3 through 6, 9, and 10 E.
T. 3 N., R. 7 E., W $\frac{1}{2}$ and NW $\frac{1}{4}$.
T. 4 N., Rs. 3 through 10 E.
T. 5 N., Rs. 5 through 8 E.
T. 6 N., Rs. 7 and 8 E.
T. 7 N., R. 8 E.
T. 23 N., Rs. 1 and 2 E.
T. 23 N., R. 3 E., west of Venetie Indian Reservation.
T. 29 N., Rs. 1 through 3 E.
T. 30 N., Rs. 1 through 3 E.
T. 31 N., Rs. 1 through 3 E.
T. 32 N., Rs. 1 through 3 E.
T. 33 N., Rs. 1 through 3 and 17 through 29 E.
T. 34 N., Rs. 17 through 29 E.
T. 35 N., Rs. 17 through 23 E.
T. 35 N., Rs. 24 through 29 E. (5 $\frac{1}{2}$ of each township for all).
T. 36 N., Rs. 17 and 18 E.
T. 6 N., R. 25 W.
T. 6 N., R. 26 W. (fractional).
T. 7 N., R. 25 W.
T. 7 N., R. 26 W. (fractional).
T. 27 N., Rs. 1 through 6 and 17 through 24 W.
T. 28 N., Rs. 1 through 6 and 17 through 24 W.
T. 29 N., Rs. 1 through 6 and 16 through 23 W.
T. 30 N., Rs. 1 through 6 and 17 through 23 W.
T. 31 N., Rs. 1 through 6, 17, and 13 W.
T. 32 N., Rs. 1 through 6 and 18 W.
T. 33 N., Rs. 1 through 6 W.
T. 7 S., Rs. 1 through 3 W.
T. 8 S., Rs. 1 through 6 W.
T. 9 S., Rs. 1 through 4 W.
T. 10 S., Rs. 1 through 5 W.
T. 11 S., Rs. 1 through 4 W.
T. 12 S., Rs. 1 through 5 W.
T. 13 S., Rs. 1 through 5 W.
T. 14 S., Rs. 1 through 5 W.
T. 15 S., Rs. 1 through 5 W.
T. 16 S., Rs. 1 through 4 W.
T. 1 S., Rs. 1 and 2 W.
T. 1 S., R. 1 W.

T. 7 S., Rs. 1 through 3 E.
T. 8 S., Rs. 1 through 4 E.
T. 8 S., R. 5 E., west of Military Reservation.
T. 9 S., Rs. 1 through 3 E.
T. 9 S., R. 4 E., west of Military Reservation.
T. 10 S., Rs. 1 through 3 E.
T. 10 S., R. 4 E., west of Military Reservation.
T. 11 S., R. 1 E.
T. 11 S., Rs. 2 and 3 E., west of Military Reservation.
T. 12 S., Rs. 1 and 2 E.
T. 12 S., R. 3 E., west of Military Reservation.
T. 13 S., Rs. 1, 2, 11, and 12 E.
T. 13 S., Rs. 3 through 7 E., all south of Military Reservation.
T. 14 S., Rs. 1 through 6 and 11 through 14 E.
T. 14 S., Rs. 7 and 8 E., south of Military Reservation.
T. 15 S., Rs. 8 through 8 and 11 through 15 E.
T. 17 S., Rs. 12 through 16 E.
T. 18 S., Rs. 14 through 16 E.
T. 19 S., Rs. 14 through 16 E.

KATHEL RIVER MERIDIAN (PROTRACTED DESCRIPTIONS)

T. 1 N., Rs. 20 through 27 E.
T. 1 N., R. 28 E. (fractional).
T. 14 N., Rs. 13 through 21 E.
T. 15 N., Rs. 13, 14, and 21 through 31 E.
T. 16 N., Rs. 13, 14, and 21 through 24 E.
T. 17 N., Rs. 13, 21 through 31 E.
T. 18 N., Rs. 13, 14, and 16 through 18 E.
T. 19 N., Rs. 12 through 13 E.
T. 20 N., Rs. 13 through 18 E.
T. 21 N., Rs. 12 through 13 E.
T. 1 N., Rs. 10 through 13 W.
T. 2 N., Rs. 10 through 16 W.
T. 3 N., Rs. 10 through 18 W.
T. 1 S., Rs. 10 through 19 W.
T. 2 S., Rs. 10 through 13 W.
T. 3 S., R. 10 W.
T. 1 S., Rs. 20 through 23 E.
T. 2 S., Rs. 23 through 23 E.
T. 3 S., Rs. 20 through 26 E.
T. 4 S., Rs. 20 through 23 E.
T. 5 S., R. 20 E.
T. 11 S., Rs. 13 and 14 E.
T. 12 S., Rs. 11 through 20 E.
T. 13 S., Rs. 11 through 21 E.
T. 14 S., Rs. 4 through 21 E.
T. 15 S., Rs. 4 through 21 E.
T. 16 S., Rs. 3 through 21 E.
T. 17 S., Rs. 3 through 21 E.
T. 18 S., Rs. 9 through 21 E.
T. 19 S., Rs. 9 through 21 E.
T. 20 S., Rs. 13 through 21 E.
T. 21 S., Rs. 13 through 21 E.
T. 22 S., Rs. 13 through 21 E.
T. 23 S., Rs. 10 through 21 E.
T. 24 S., Rs. 10 through 21 E.
T. 25 S., Rs. 10 through 19 E.
T. 26 S., Rs. 10 through 13 E.
T. 27 S., Rs. 3 through 12 E.
T. 28 S., Rs. 3 through 12 E.
T. 29 S., Rs. 3 through 12 E. (all fractional).
SEWARD MERIDIAN (PROTRACTED DESCRIPTIONS)
T. 21 N., Rs. 5 through 10 E.
T. 22 N., Rs. 5 through 10 E.
T. 23 N., Rs. 3 through 11 E.
T. 24 N., Rs. 1 through 11 E.
T. 25 N., Rs. 1 through 11 E.
T. 26 N., Rs. 1 through 11 E.
T. 27 N., Rs. 1 through 11 E.
T. 28 N., Rs. 1 through 11 E.
T. 1 N., Rs. 27 through 52, 53, and 60 W.
T. 2 N., Rs. 37 through 52, 53, and 60 W.

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- T. 3 N., Rs. 37 through 54 and 57 through 60 W.
- T. 4 N., Rs. 37 through 54 and 57 through 60 W.
- T. 5 N., Rs. 30 through 54 and 56 through 59 W.
- T. 6 N., Rs. 30 through 59 W.
- T. 7 N., Rs. 29 through 59 W.
- T. 8 N., Rs. 29 through 59 W.
- T. 9 N., Rs. 28 through 58 W.
- T. 10 N., Rs. 28 through 58 W.
- T. 11 N., Rs. 28 through 58 W.
- T. 12 N., Rs. 27 through 31 and 37 through 59 W.
- T. 13 N., Rs. 27 through 31 and 37 through 57 W.
- T. 14 N., Rs. 25 through 31 and 37 through 57 W.
- T. 15 N., Rs. 24 through 31 and 37 through 50 W.
- T. 16 N., Rs. 24 through 31 and 37 W.
- T. 17 N., Rs. 21 through 31 W.
- T. 18 N., Rs. 20 through 31 W.
- T. 19 N., Rs. 19 through 31 W.
- T. 20 N., Rs. 18 through 31 W.
- T. 21 N., Rs. 15 through 31 W.
- T. 22 N., Rs. 15 through 31 W.
- T. 23 N., Rs. 15 through 31 W.
- T. 24 N., Rs. 15 through 31 W.
- T. 25 N., Rs. 20 through 29 W.
- T. 26 N., Rs. 20 through 29 W.
- T. 27 N., Rs. 20 through 29 W.
- T. 28 N., Rs. 20 through 26 and 30 through 53 W.
- T. 29 N., Rs. 18 through 25 and 30 through 54 W.
- T. 30 N., Rs. 19 through 25 and 30 through 51 W.
- T. 31 N., Rs. 18, 19, and 30 through 43 W.
- T. 32 N., Rs. 17, 18, and 30 through 43 W.
- T. 33 N., Rs. 39 through 42 W.
- T. 34 N., Rs. 39 through 42 W. (all fractional).

The areas described aggregate approximately 25 million acres.

2. Prior to the conveyance of any of the lands withdrawn by this order, the lands shall be subject to administration by the Secretary of the Interior under the applicable laws and regulations, and his authority to make contracts, and to grant leases, permits, rights-of-way, or easements, shall not be impaired by this withdrawal. Applications for leases under the Mineral Leasing Act, supra, will be rejected until this order is modified or the lands are appropriately classified to permit mineral leasing.

3. It is hereby determined that the promulgation of this Public Land Order is not a major Federal action significantly affecting the quality of the human environment and no detailed statement pursuant to section 102(2) (C) of the National Environmental Policy Act of 1969, 42 U.S.C. section 4332(2) (C), is required.

Rogers B. Morton,
Secretary of the Interior.

MARCH 15, 1972.

[FRT Doc 72-4133 Filed 3-15-72; 9:54 am]

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[Public Land Order 5255]

ALASKA

**Amendment of Public Land Orders
No. 5174, No. 5179, No. 5180, and
No. 5186**

By virtue of the authority vested in the Secretary of the Interior by sections 11(a)(3), 17(d)(1), and 17(d)(2)(A) of the Alaska Native Claims Settlement Act of December 18, 1971, 85 Stat. 688, 696, 708, and 709 (hereinafter referred to as the "Act"), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Public Land Order No. 5174 of March 9, 1972, withdrawing lands for selection under section 12 of the Act by the village corporations and the Regional Corporation for the approximate area covered by the operations of the Cook Inlet Association, is hereby amended to add the following described lands to said order:

SEWARD MERIDIAN**PROTRACTED DESCRIPTIONS**

T. 5 N., R. 18 W. (E $\frac{1}{2}$).
T. 8 N., R. 29 W.
T. 9 N., Rs. 28 and 29 W.
T. 10 N., Rs. 28 and 29 W.
T. 11 N., R. 28 W.
T. 29 N., Rs. 1 and 2 W.
T. 30 N., R. 1 W.
T. 31 N., R. 1 W.
T. 32 N., R. 1 W.
T. 33 N., R. 1 W. (fractional).
T. 29 N., Rs. 1 through 4 E.
T. 29 N., R. 11 E.
T. 30 N., Rs. 1 through 11 E.
T. 31 N., Rs. 1 through 10 E.
T. 32 N., Rs. 1 through 7 E.
T. 33 N., R. 1 E. (fractional).
T. 33 N., R. 2 E. (W $\frac{1}{2}$).
T. 3 S., Rs. 20 through 22 W. (fractional).
T. 3 S., R. 23 W.
T. 3 S., R. 24 W. (E $\frac{1}{2}$).
T. 4 S., Rs. 22 and 23 W. (fractional).
T. 4 S., R. 24 W.
T. 5 S., R. 22 W. (fractional).
T. 5 S., R. 23 W.
T. 5 S., Rs. 24 and 25 W. (fractional).
T. 5 S., Rs. 24 and 25 W. (fractional).
T. 7 S., Rs. 25 and 26 W. (fractional).
T. 7 S., R. 27 W. (E $\frac{1}{2}$).
T. 8 S., R. 26 W. (fractional).
T. 8 S., R. 27 W.
T. 8 S., R. 28 W. (E $\frac{1}{2}$).
T. 9 S., Rs. 27 and 28 W. (fractional).
T. 9 S., R. 29 W. (E $\frac{1}{2}$).

Susitna
River
with draws
PSC-443

The areas described aggregate approximately 1,416,000 acres.

2. Subject to valid existing rights, all of the lands described in paragraph 1 of this order are added to Public Land Order No. 5174, and immediately become subject to all of the terms and conditions of that order, including the withdrawal of the lands from selection by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970). Any of the lands described in paragraph 1 of this order are deleted from those listed in Public Land Order No. 5179 of March 9, 1972, as amended

by Public Land Order No. 5192 of March 17, 1972, Public Land Order No. 5180 of March 9, 1972, as amended by Public Land Order No. 5193 of March 17, 1972, and Public Land Order No. 5186 of March 9, 1972.

3. The purpose of this order is to supplement Public Land Order No. 5174, by reserving additional lands for selection by those village corporations that will be determined by the Secretary of the Interior to be eligible to make such selections, and by the Regional Corporation for the approximate area covered by the Cook Inlet Association, as provided for by section 12 of the Act.

4. Public Land Order No. 5174 as here amended, is further amended to make the following described lands available for selection by the State of Alaska under the Alaska Statehood Act, supra, after December 18, 1975:

a. Tyonek:

SEWARD MERIDIAN**PROTRACTED DESCRIPTIONS**

T. 10 N., R. 16 W. (W $\frac{1}{2}$).
T. 10 N., Rs. 17 through 20 W.
T. 11 N., Rs. 17 through 20 W.
T. 12 N., Rs. 16 through 20 W.
T. 13 N., Rs. 16 through 20 W.
T. 14 N., Rs. 16 through 20 W.
T. 15 N., Rs. 15 through 20 W.
T. 16 N., Rs. 15 through 20 W.
T. 17 N., Rs. 15 through 20 W.
T. 18 N., Rs. 15 through 20 W.
T. 19 N., Rs. 15 through 18 W.
T. 20 N., Rs. 15 through 17 W.

b. Eklutna:

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Date PLO signed: 9/12/72

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 12 N., Rs. 4 and 5 E.
T. 13 N., Rs. 4 through 6 E.
T. 14 N., Rs. 4 through 7 E.
T. 15 N., Rs. 4 through 8 E.
T. 16 N., Rs. 4 through 10 E.
T. 17 N., Rs. 4 through 10 E.
T. 18 N., Rs. 4 through 10 E.
T. 19 N., Rs. 6 and 7 E.
T. 20 N., R. 3 E.
T. 21 N., Rs. 1 through 5 E.
T. 22 N., Rs. 1 through 4 E.
T. 23 N., R. 1 E.
T. 21 N., Rs. 1 and 2 W.
T. 22 N., Rs. 1 and 2 W.

The areas described aggregate approximately 2,290,300 acres.

5. Prior to the conveyance of any of the lands described in paragraph 1 of this order to any village corporation, or said Regional Corporation, the lands shall be subject to the administration of the Secretary of the Interior under applicable laws and regulations, and his authority to make contracts and to grant leases, permits, rights-of-way, or easements, shall not be impaired by the withdrawal. New applications for leases under the Mineral Leasing Act of February 25, 1920, supra, will be rejected until this order is modified or the lands are appropriately classified for mineral leasing.

6. It is hereby determined that the promulgation of this public land order is not a major Federal action significantly affecting the quality of the human environment and that no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, 42 Stat. section 4332(2)(C), is required.

ROGERS C. B. MORTON,
Secretary of the Interior.

SEPTEMBER 12, 1972.

[FR Doc.72-15786 Filed 9-18-72;8:42 am]

Federal Register Data

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FLO No.: 5321 -
Date FLO signed: 12/07/72

Chapter II—Bureau of Land Manage-
ment, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 5321]

ALASKA

Amendment of Public Land Orders No. 5173 and No. 5180, as Amended

By virtue of the authority vested in the Secretary of the Interior by sections 11(a) (3) and 17(d) (1) of the Alaska Native Claims Settlement Act of December 18, 1971, 85 Stat. 653, 696, 703 (hereinafter referred to as the "Act"), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Public Land Order No. 5173 of March 9, 1972, as amended, withdrawing lands for selection by the Village Corporations and the Regional Corporation for the approximate area covered by the operations of the Tanana Chiefs' Conference, is hereby amended to add the following described lands to paragraph 2 of said order:

FAIRBANKS MERIDIAN

PROTRACTED DESCRIPTIONS

T. 2 N., Rs. 23 through 25 E.
T. 3 N., Rs. 23 through 25 E.
T. 4 N., Rs. 24 and 25 E.
T. 1 S., Rs. 26 through 29 E.
T. 2 S., Rs. 26 through 29 E.
T. 3 S., Rs. 24 E., S $\frac{1}{2}$.
T. 3 S., Rs. 25 through 29 E.
T. 4 S., Rs. 24 through 33 E.
T. 5 S., Rs. 34 through 34 E.
T. 6 S., Rs. 23 E., E $\frac{1}{2}$.
T. 6 S., Rs. 24 through 26, and 31 through 34 E.
T. 7 S., Rs. 19 and 20 E.
T. 7 S., Rs. 22 E., S $\frac{1}{2}$.
T. 7 S., Rs. 23 through 26, and 31 through 34 E.
T. 8 S., Rs. 19 through 25 E.

COPPER RIVER MERIDIAN

PROTRACTED DESCRIPTIONS

T. 26 N., Rs. 11 through 14 E.
T. 27 N., Rs. 8 through 14 E.
T. 28 N., Rs. 8 through 14 E. (partial).

KATEEL RIVER MERIDIAN

PROTRACTED DESCRIPTIONS

T. 10 N., Rs. 5 through 15 E.
T. 11 N., Rs. 5 through 8, and 11 through 13 E.
T. 12 N., Rs. 5 through 8, and 11 through 12 E.

FAIRBANKS MERIDIAN

PROTRACTED DESCRIPTIONS

T. 23 S., Rs. 26 through 28 W.

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 31 N., Rs. 20 through 24 W.
T. 32 N., Rs. 19 through 24 W.
T. 33 N., Rs. 17 through 24 W.
T. 34 N., Rs. 20 through 24 W.

2. The specified portions of the following designated townships are withdrawn by Public Land Order No. 5173 of March 9, 1972, as amended, and will remain so withdrawn. The lands in this paragraph are, therefore, excepted from the addition to Public Land Order No. 5173 by paragraph 1 of this order:

All lands within the protracted survey sections which are wholly or in part within 1 mile of the mean high water mark of the river's banks and all islands and islets within the following named rivers and their named tributaries as they traverse the following described lands:

Charley River

FAIRBANKS MERIDIAN

PROTRACTED DESCRIPTIONS

T. 3 N., R. 23 E.
T. 4 N., Rs. 24 and 25 E.

Fortymile River

FAIRBANKS MERIDIAN

ALL PROTRACTED DESCRIPTIONS

T. 7 S., Rs. 31 through 33 E.
T. 7 S., R. 34 E. (fractional).

Middle Fork (Tributary)

FAIRBANKS MERIDIAN

T. 5 S., Rs. 25 through 28 E.
T. 6 S., Rs. 24 and 25 E.
T. 7 S., Rs. 22 and 23 E.
T. 8 S., Rs. 21 and 22 E.

COPPER RIVER MERIDIAN

T. 27 N., R. 9 E.
T. 28 N., Rs. 9 and 10 E.

Molly Creek (Tributary)

COPPER RIVER MERIDIAN

T. 27 N., R. 10 E.
T. 28 N., R. 10 E.

FAIRBANKS MERIDIAN

T. 3 S., Rs. 21 and 22 E.

Joseph Creek (Tributary)

FAIRBANKS MERIDIAN

T. 6 S., R. 23 E.

McKinley Creek (Tributary)

FAIRBANKS MERIDIAN

T. 6 S., R. 24 E.
T. 7 S., R. 24 E.

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Little White Man Creek (Tributary)

FAIRBANKS MERIDIAN

T. 7 S., Rs. 24 and 25 E.

Fish Creek (Tributary)

FAIRBANKS MERIDIAN

T. 6 S., R. 25 E.

Pittsburgh Creek (Tributary)

FAIRBANKS MERIDIAN

T. 5 S., R. 25 E.

Portage Creek (Tributary)

FAIRBANKS MERIDIAN

T. 5 S., Rs. 25 and 26 E.

North Fork (Tributary)

FAIRBANKS MERIDIAN

T. 3 S., Rs. 27 and 28 E.

T. 4 S., R. 28 E.

T. 5 S., Rs. 28 and 29 E.

Slate Creek (Tributary)

FAIRBANKS MERIDIAN

T. 3 S., Rs. 25 thru 27 E.

T. 4 S., Rs. 25 and 26 E.

Ruby Creek (Tributary)

FAIRBANKS MERIDIAN

T. 3 S., Rs. 24 and 25 E.

Independence Creek (Tributary)

FAIRBANKS MERIDIAN

T. 1 S., Rs. 27 and 28 E.

T. 2 S., R. 27 E.

T. 3 S., R. 27 E.

North Peak Creek (Tributary)

FAIRBANKS MERIDIAN

T. 3 S., R. 28 E.

T. 4 S., R. 28 E.

Comat Creek (Tributary)

FAIRBANKS MERIDIAN

T. 3 S., R. 29 E.

T. 4 S., Rs. 29 and 29 E.

Dear Creek (Tributary)

FAIRBANKS MERIDIAN

T. 4 S., Rs. 28 and 29 E.

Champion Creek (Tributary)

FAIRBANKS MERIDIAN

T. 4 S., Rs. 28 through 31 E.

T. 5 S., Rs. 30 and 31 E.

O'Brien Creek (Tributary)

FAIRBANKS MERIDIAN

T. 5 S., Rs. 32 and 33 E.

T. 6 S., R. 32 E.

T. 7 S., R. 32 E.

Smith Creek (Tributary)

FAIRBANKS MERIDIAN

T. 7 S., R. 34 E.

Mosquito Fork (Tributary)

COPPER RIVER MERIDIAN

T. 23 N., R. 14 E.

Keechumstuls Creek (Tributary)

COPPER RIVER MERIDIAN

T. 26 N., Rs. 13 and 14 E.

T. 27 N., Rs. 13 and 14 E.

The areas of land described in paragraph 1 of this order, less those excepted in paragraph 2, aggregate approximately 2,372,480 acres.

3. Subject to valid existing rights, all of the lands described in paragraph 1 of this order, less those excepted in paragraph 2, are added to Public Land Order No. 5173, as amended, and immediately become subject to all of the terms and conditions of that order, including the withdrawal of the lands from selection by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, 30 U.S.C. sections 181-287 (1970). The lands described in paragraph 1 are deleted from those listed in Public Land Order No. 5180 of March 9, 1972, as amended.

4. Public Land Order No. 5180 of March 9, 1972, as amended, withdrawing lands for classification and for protection of the public interest in the lands, is hereby amended to add the following described lands to paragraph 1 of said order.

FAIRBANKS MERIDIAN

PROTRACTED DESCRIPTIONS

T. 16 S., R. 4 W.

T. 17 S., Rs. 3 and 4 W.

T. 18 S., Rs. 2 through 4 W.

T. 19 S., Rs. 1 through 4 W.

T. 19 S., R. 1 E.

T. 20 S., Rs. 1 through 8 E.

T. 21 S., Rs. 1 through 8 E.

KATEEL RIVER MERIDIAN

PROTRACTED DESCRIPTIONS

T. 16 S., Rs. 22 through 30 E.

T. 17 S., Rs. 22 through 29 E.

T. 18 S., Rs. 22 through 25 E.

T. 19 S., R. 22 E.

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 23 N., Rs. 51 through 53 W.

T. 24 N., Rs. 45 through 53 W.

T. 25 N., Rs. 39 through 52 W.

T. 26 N., Rs. 39 through 45, and 48 through 52 W.

T. 27 N., Rs. 39 through 45, and 48 through 52 W.

The areas described aggregate approximately 2,257,920 acres.

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Date PLO signed: 12/07/72

5. Subject to valid existing rights, all of the lands described in paragraph 4 of this order are added to Public Land Order No. 5180, as amended, and immediately become subject to all of the terms and conditions of that order, including the withdrawal of the lands from selection by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws (except for locations for metalliferous minerals, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, sections 181-237 (1970)). These lands are deleted from those listed in Public Land Order No. 5173 of March 9, 1972, as amended.

6. The purpose of this order is to supplement Public Land Order 5173, as amended, by reserving additional lands for selection by the Regional Corporation for the approximate area covered by the operations of the Tanana Chiefs' Conference, as provided for by section 12 of the Act, and to supplement Public Land Order No. 5180 of March 9, 1972, as amended, by reserving additional lands for study to determine the proper classification of the lands and to ascertain the public values in the lands that need protection, as provided for by section 17(d)(1) of the Act.

7. While the lands described in this order remain withdrawn, the lands shall be subject to administration by the Secretary of the Interior under the applicable laws and regulations and his authority to make contracts, and to grant leases, permits, rights-of-way, or easements shall not be impaired by this withdrawal. New applications for leases under the Mineral Leasing Act of February 25, 1920, *supra*, will be rejected until this order is modified or the lands are appropriately classified to permit mineral leasing.

8. It is hereby determined that the promulgation of this public land order is not a major Federal action significantly affecting the quality of the human environment and that no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. section 4332(2)(C), is required.

ROGERS C. B. MORTON,
Secretary of the Interior.

DECEMBER 7, 1972.

[FR Doc.72-21473 Filed 12-13-72; 8:47 am]

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PLO No.: 5321
Date PLO signed: 07/17/73

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 5321]

ALASKA

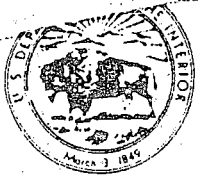
Correction of Public Land Order No. 5321

The description of the lands in Public Land Order No. 5321 of December 7, 1972, appearing in 37 FR 26595-26596 of the issue of December 14, 1972, amending Public Land Order No. 5173, as amended, is hereby corrected by changing T. 24 N., to T. 34 N., Seward Meridian. Protracted Descriptions in paragraph 1 of said order.

JACK O. HORTON,
Assistant Secretary of
the Interior.

July 17, 1973.

[FR Doc. 73-18225 Filed 7-24-73; 8:48 am]



United States Department of the Interior

OFFICE OF THE SOLICITOR
ANCHORAGE REGION
5101 Street, Suite 408
Anchorage, Alaska 99501

BUREAU OF
LAND MANAGEMENT
MAIL ROOM
JUL 22 1 04 PM '80
ANCHORAGE, AK

July 21, 1980

MEMORANDUM

To: State Director
Bureau of Land Management
Alaska

From: Attorney-Advisor
Office of the Regional Solicitor
Alaska Region

Subject: Cook Inlet Village Entitlements
Under Section 12(b) of ANCSA (961)

By a lengthy and detailed memorandum of April 24, 1980 you raised numerous questions concerning the proper procedures for satisfying the Section 12(b) of ANCSA entitlements of the Cook Inlet Region village corporations. The questions relate in part to the meaning of "statutory entitlement" as used in Section 4 of P.L. 94-456 (90 Stat. 1934) and you have asked us to reconsider our earlier opinion of November 2, 1979 which concluded that the term "statutory entitlement" was limited to Section 12(a) of ANCSA entitlements. The remainder of your questions relate to how and where the Cook Inlet Region village corporations will receive their 12(b) entitlements.

DISCUSSION

I

CAN 12(b) LANDS BE CONVEYED TO CIRI FOR RECONVEYANCE TO VILLAGE CORPORATIONS?

Section 4 of P.L. 94-456 authorizes the Secretary of the Interior to convey lands to CIRI for reconveyance to Cook Inlet village corporations "...as partial satisfaction of the statutory entitlement of such Village Corporations... (emphasis added)." Since this section is the sole statutory basis for conveying village lands to CIRI, the Department would be without authority to convey to CIRI any lands that fell outside of the perimeters of what is included as "statutory entitlement."

it

In our legal opinion of November 2, 1979 we concluded that "statutory entitlement," as used in Section 4 of P.L. 94-456, encompassed only 12(a) entitlements. However, after a series of meetings and discussions with CIRI's attorney and members of the BLM's Division of ANCSA Operations, as well as a thorough reconsideration and review of the matter in this office, we are now of the opinion that the phrase "statutory entitlement" can be construed to include 12(b) entitlements as well as 12(a) entitlements. Our rationale is that 12(b) entitlements are "statutory entitlements" in as much as they are derived directly from a statute (Section 12(b) of ANCSA). The fact that Section 12(b) of ANCSA does not set out specific entitlements or even guarantee that any given village corporation will receive any acreage, does not alter the fact that 12(b) entitlements are statutorily created.

Given this fact, it is possible that a court, in construing Section 4 of P.L. 94-456, would not look beyond the face of the statute, as we did in reaching the conclusions set forth in our opinion of November 2, 1979. Rather, a court could hold that the term "statutory entitlement," on its face, encompassed both 12(a) and 12(b) entitlements. This would be in accord with the general rule of statutory construction that specifies when a statute is clear on its face it is improper to look to the legislative history. See, U.S. v. Rone, 598 F.2d 564, 569 (9th Cir. 1979), and Easson v. CIR, 294 F.2d 653, 656 (9th Cir. 1961).

On the other hand, if Section 4 of P.L. 94-456 were considered to be ambiguous, the general rule of statutory construction, which provides that ambiguities in Indian legislation should be construed in favor of Indians, would apply. See, Bryan v. Itasca County, 426 U.S. 373, 392 (1976); and Alaska Public Easement Defense Fund v. Andrus, 435 F. Supp. 664, 671 (Alaska 1977). Thus, even if the term "statutory entitlement" was not considered by a court to facially encompass both 12(a) and 12(b) entitlements and was treated as ambiguous, it could still be construed to include 12(b), as well as 12(a), entitlements as CIRI asserts.

These general rules of statutory construction aside, new factors have come to light which indicate the Secretary can convey Section 12(b) lands to CIRI for reconveyance. Most significantly, you have advised us that Appendix A of the Agreement of August 31, 1976 between CIRI and the Secretary of the Interior includes 12(b) lands specifically set forth in Section VII of the Terms and Conditions for Land Consolidation and Management in the Cook Inlet Area as clarified

Finally, while we consider it to be more of a policy determination than a legal question, we do concur with the requirements you propose to utilize and set forth at page 8 of your memorandum of April 24, 1980.

II

ALLOCATION OF 12(b) ENTITLEMENTS

Section VII.A. of the T&C provides that "...CIRI shall allocate Section 12(b) selections to the following areas..." It is our view that this section should be construed consistently with Section 12(b) of ANCSA itself. Since we construe Section 12(b) to mean that a regional corporation can only assign acreage amounts and it is up to the village corporations to select that acreage from available lands, we conclude that the phrase "...CIRI shall allocate Section 12(b) selections to the following areas..." should be construed to mean that CIRI can allocate acreage amounts to its village and those villages can select their allocated shares from land available pursuant to Sections VII.A. or I.C.(2)(k) of the T&C. Section IX of the T&C supports the consistency of this position by providing, "[l]ands conveyed to CIRI and/or its village and group corporations in accordance with this Document, notwithstanding their source (whether Federal or State), shall be considered and treated as conveyances under and pursuant to ANCSA... (Emphasis added)." See also, Section 12(c) and Section 18 of P.L. 94-204 (89 Stat. 1152 and 1156).

We do find, however, that the phrase "...CIRI shall allocate Section 12(b) selections to the following areas..." has the limiting affect of narrowing a village corporation's selection of land to the geographical areas listed in Section VII of the T&C or to in lieu selections under Section I.C.(2)(k) of the T&C. We further conclude that this limitation applies to all Cook Inlet Region village corporations except Eklutna. Thus, with the exception of Eklutna, after CIRI allocates acreage amounts, the Cook Inlet Region village corporations' 12(b) selections will be limited to the areas and to the extent specified in the T&C.^{1/}

Eklutna, notwithstanding the above, is an exception and can receive allocations of 12(b) acreage outside of Sections VII.A. and I.C.(2)(k) of the T&C. Since Eklutna did not have to relinquish selections, as was required of other Cook

^{1/} It is understood that these villages have blanket 12(b) selections in these areas and that they will need to prioritize them following CIRI's allocation of acreage entitlements.

Inlet Region villages by Section 12(a)(3) of P.L. 94-204, it cannot be considered a party to the T&C, nor were the limiting provisions of Section VII of the T&C intended to apply to Eklutna. Moreover, the Agreement of August 31, 1976 which, as a contemporaneous agency interpretation, is entitled to great weight, specifically provides for the preservation of Eklutna's 12(b) selections. In particular, Section F(3) of the Agreement of August 31, 1976 memorializes the fact that the withdrawals made in PLO 5174 and PLO 5425 for 12(b) selections by Eklutna remain available for selection by Eklutna. Conveyance of any acreage CIRI allocates to Eklutna under 12(b) would thus fall outside of the perimeters of the T&C and would be directly from the United States to Eklutna. While other Cook Inlet Region village corporations initially had selection rights under these same PLO's, it is noteworthy that the Agreement of August 31, 1976 fails to specifically preserve their selection rights. This omission further supports our conclusion that all Cook Inlet Region villages, other than Eklutna, can obtain their 12(b) entitlements only in the geographic areas established in Section VII of the T&C or pursuant to Section I.C.(2)(k) of the T&C.

CONCLUSION

Consequently, we have arrived at the opinion that the term "statutory entitlement" as used in Section 4 of P.L. 94-456 can be construed to include 12(b), as well as 12(a), entitlements. We have also reached the conclusion that VII.A. of the T&C should be construed consistently with Section 12(b) of ANCSA in as much as CIRI can assign acreage amounts and the Cook Inlet Region village corporations, with the exception of Eklutna, can select their 12(b) allocations in the areas and manner provided in the T&C. Eklutna is an exception in as much as it does not have to make its 12(b) selections under the T&C.

In closing, it should be noted that it is possible that the resolution of a recently filed Federal court case, Chickaloon Moose Creek Native Assoc., Inc. v. Cook Inlet Region, Inc., et al., No. A80-207 Civ., U.S.D.C., D. Alaska, might alter some of the conclusions arrived at in this opinion. In particular, the lawsuit raises questions concerning the conveyance of lands to CIRI for reconveyance. If the lawsuit ultimately affects any of the advice we have rendered in this memorandum, we will be certain to advise you.

Dennis J. Hopewell
Dennis J. Hopewell

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AA-37846 (2654)
(961)

APR 24 1980

4/18/80
By
Asstg

Memorandum

To: Regional Solicitor, Office of the Solicitor
Anchorage, Alaska
Attn: Dennis Hopewell, Attorney Advisor

From: State Director, Bureau of Land Management

Subject: Cook Inlet Village Entitlements Under
Section 12(b) of ANCSA

Reference is made to a memorandum from your office dated November 2, 1979, made in response to our request for advice on September 25, 1979, concerning problems encountered in implementing Section 4 of P.L. 94-456 (90 Stat. 1934) and the Agreement of August 31, 1976. In the memorandum, "statutory entitlement," as used in P.L. 94-456, was defined as including only section 12(a) entitlements. It was also concluded that the Secretary of the Interior is not authorized by this Act to convey 12(b) entitlements to CIRI for reconveyance to the village corporations.

Further discussions have been held on the 12(b) problem and additional questions have been raised. The purpose of this memorandum is to provide all pertinent information for another review by your office, for reconsideration of your opinion; as we understand, CIRI has informally requested such reconsideration.

On November 9, 1979, we mailed to CIRC and the appropriate village corporations a draft decision approving conveyance to CIRC of lands described in Appendix A of the Agreement of August 31, 1976. Using the established definition of "statutory entitlement," the acreage of all lands selected under section 12(a) of ANCSA was to be charged against the 12(a) entitlement of the participating village corporations, subject to adjustment. The acreage of lands not under 12(a) selections was to be charged against CIRC's 12(c) entitlement, as any acreage conveyed to CIRC, in excess of that needed to fulfill village 12(a) entitlements, would be regarded as conveyances of land outside the boundaries of Cook Inlet Region pursuant to section I.C.(1) of the Terms and Conditions for Land Consolidation and Management in the Cook Inlet Area. Copies of pages 15 and 16 of our draft DIC are enclosed, in which the acreage chargeability is explained.

In response to our draft DIC, CIRC informed us by telephone and personal contact that they did not agree with our opinion and that it was their intention to include 12(b) lands within Appendix A of the Agreement of August 31, 1976, between the Secretary of the Interior and CIRC. After BLM decided that the questions were of a legal nature, and not policy questions, CIRC requested issuance of a DIC only for certain lands selected under section 12(a) of ANCSA. This was issued on November 30, 1979. On January 3, 1980, we received a letter from CIRC stating that "...CIRC does not waive its right to appeal BLM's interpretation of Sec. 4(a) of Public Law 94-456 and the applicable agreements when properly raised." A copy of the letter is enclosed.

Following is the history of events leading to the questions concerning conveyance of 12(b) lands in the Cook Inlet Region.

May 7, 1976 - The majority of total village selections filed under section 12(a) of ANCSA were rejected due to noncompliance with the requirement for compactness and contiguity; decisions were appealed; ANCAB remanded the cases to BLM.

August 28, 1976 - ANCSA Section 12(a) Conveyance Agreement entered into between Cook Inlet Region, Inc. and the village corporations of Ninilchik, Knikatnu, Alexander Creek, Salamatof, Tyonek, Chickaloon and Seldovia.

The parties recognized the questions in the validity of the village selections in the deficiency lands and agreed that legislative action was needed to resolve the problem to "insure that the village corporations received their statutory entitlement under ANCSA." (See item 2 under "WHEREAS" of the agreement, which is Appendix B of the Agreement of August 31, 1976.) They agreed to form boards "with one representative from each of the village corporations that has selected lands under Section 12(a)" They established standards to be followed by CIRC in reconveying "land to the village corporation entitled thereto under their Section 12(a) selections" Emphasis added.

August 31, 1976 - Agreement between CIRC and the Secretary of the Interior. The Secretary agreed to convey all lands in Appendix A to CIRC, Appendix A having more lands than that under section 12(a) selections. CIRC agreed to reconvey the surface estate to the village corporations according to the CIRC/Village agreement, "and which agreement may be modified by the parties thereto."

October 4, 1976 - P.L. 94-456, Section 4(a) of which authorized the Secretary to convey lands under application for selection by the village corporations to Cook Inlet

Region, Inc., for reconveyance by CIRC to the village corporations. "Such lands shall be conveyed as partial satisfaction of the statutory entitlement of such village corporations from lands withdrawn pursuant to section 11(a)(3)...."

Does the Secretary of the Interior have statutory authority to convey 12(b) lands to CIRC for reconveyance to the village corporations? The relationships between Section 4 of P.L. 94-456, the Agreement of August 31, 1976, and Section VII.A. of the Terms and Conditions for Land Consolidation and Management in the Cook Inlet Area is discussed below.

Statements made in the Agreement of August 31, 1976, indicate that the Secretary and CIRC did not have only 12(a) selections in mind, and that 12(b) lands may be conveyed to CIRC for reconveyance to the villages. The provisions in Section E of the agreement refer to village entitlements only under Section 12 of ANCSA, without specifying subsections 12(a) and/or 12(b). Also, Section F of the agreement provides that only certain lands shall be conveyed to village corporations within Cook Inlet Region. The list of lands therein makes no mention of selections filed under Section 12(a) and/or 12(b) of ANCSA; however, it implies that the villages, other than Eklutna, would receive lands directly from the Secretary only in the section 11(a)(1) and (2) withdrawals and from CIRC in the deficiency withdrawals. Section F of the agreement reads as follows:

Only the following lands shall be conveyed to Village Corporations within Cook Inlet Region:

- 1) Valid selections made by any Village Corporation within an area withdrawn by Section 11(a)(1) and (2) of the Settlement Act;

2) Valid selections made by Eklutna, Inc., from lands withdrawn by Public Land Order (PLO) 5174, as amended by PLO 5425;

3) Lands conveyed by CIRI pursuant to this section; and pursuant to the Terms and Conditions as clarified August 31, 1976.

Under F(3), do the conveyances by CIRI pursuant to the Terms and Conditions include 12(b) lands? Does this imply that the Secretary has authorization to convey 12(b) lands to CIRI? Although no explicit authorization exists, such conveyance may be required in this case. The conveyances to village corporations which are provided for in the Terms and Conditions include, in our analysis, only lands from within the Exchange Pool under Section I.C.(2)(K) and lands from the State reconveyances under Section I.C. of Appendix C. As will be explained later, Section VII.A. of the Terms and Conditions only specifies areas in which 12(b) selections can be filed. It does not provide for conveyances to be made to CIRI.

According to conversations with our Alaska Program Staff in Washington, CIRI was told during the negotiations for the August agreement that the ANCSA amendment was intended only to satisfy 12(a) entitlements. The Department of Interior had no intention of conflicting with Section VII.A. of the Terms and Conditions. It was pointed out that a contract, or the August agreement, could not overturn statute (VII. of the Terms and Conditions).

One argument used to support the contention that the Secretary has the authority to convey 12(b) lands to CIRI is that Appendix A of the agreement of August 31, 1976, was written to include 12(a) selected lands and lands which would likely be conveyed to village corporations for fulfillment of 12(b)

entitlements. Appendix A does indeed include more lands than those selected under 12(a) of ANCSA, and CIRI has stated that the intent in writing Section 4 of P.L. 94-456 was to include lands within Section VII.A. of the Terms and Conditions.

Does the inclusion of 12(b) lands within Appendix A of the Agreement of August 31, 1976, give the Secretary the authority to make such conveyances to CIRI? The definition established for "statutory entitlement" in the memorandum of November 2, 1979, and the reasons provided, would indicate otherwise.

Another argument is that by the wording given in Section VII.A. of the Terms and Conditions, the villages will receive their 12(b) entitlement only from those lands described in that section; the Terms and Conditions is statute and Section VII.A. of the Terms and Conditions mandates CIRI to allocate Section 12(b) selections to certain specified areas. The areas include 4.5 townships in the Talkeetna Mountains withdrawal. This is comparable to the amount of land within Appendix A of the Agreement of August 31, 1976, which is selected only under Section 12(b) of ANCSA. CIRI has queried, where else would the villages receive their 12(b) entitlement if the 4.5 townships are accepted by CIRI as part of its 12(c) entitlement?

CIRI's intent to include the 12(b) lands in Appendix A is understandable, but there are other lands in the Talkeetna Mountains Withdrawal available for 12(b) selections which were not included in Appendix A. ^{1/} Also, the village corporations were

^{1/} There are, in the Talkeetna Mountains alone, approximately 245,633 acres north of the Susitna River which are not in Appendix A. There are also approximately 80,640 acres in the Tuxedni-Iniskin area which are in VII.A. of the Terms and Conditions and not in Appendix A.

given an extension for filing their 12(b) selections by Section 12(h) of P.L. 94-204, indicating that the village corporations had the right to select lands and to receive title to them directly from the Secretary.

Incidentally, what is the meaning of the phrase within Section VII. of the Terms and Conditions, "...CIRI shall allocate Section 12(b) selections...."? Standing alone, it surely cannot mean that the 12(b) lands would be conveyed to CIRI. The Terms and Conditions were written prior to P.L. 94-456, and at the time there was no need for any lands to be conveyed to CIRI for reconveyance to the village corporations. It appears that the whole intent and need for the authorization given in Section 4 of P.L. 94-456 was to resolve the problems caused by the 12(a) selection pattern of the village corporations. However, since we are obliged to convey the lands in Appendix A to CIRI, and Cook Inlet Villages are entitled to 12(b) allocations, some of which could come from Appendix A, it may be necessary to construe the agreements to allow our conveyances of 12(b) lands to CIRI.

Whether or not the 12(b) lands are conveyed to CIRI for reconveyance to the villages, can the villages receive title to 12(b) lands outside of VII.A. and the Exchange Pool? Or does the phrase "...CIRI shall allocate Section 12(b) selections..." in section VII.A. mean that CIRI is obligated to select specific lands for specific villages? If so, are we authorized to make an exception for Eklutna because of the provisions given in Section F(2) of the Agreement of August 31, 1976? Could the other village corporations justifiably demand exception?

It appears that from the beginning there has been confusion caused by lack of communication in the various agreements. (See copies of correspondence enclosed concerning a conflict between a 12(b) selection filed by Seldovia and the provisions of P.L. 94-204). Decisions must be made to resolve the 12(b) questions.

If it can be construed that the Secretary has statutory authority to convey 12(b) lands to CIRI for reconveyance to village corporations, we feel that BLM should require:

1. that CIRI and all village corporations involved enter into a modified conveyance agreement to include 12(b) lands. The agreement should specify the amount of 12(b) lands to be conveyed to CIRI (all or in part.)
2. submission of Board resolutions approving the signatories to enter into the agreement.
3. that CIRI provide an allocation of 12(b) entitlement for Eklutna, Inc. (Eklutna, Inc. is not a party to the 12(a) or 12(b) agreements between CIRI and the other villages, and any lands Eklutna, Inc. is entitled to under 12(b) should be conveyed directly to Eklutna, Inc., if we are authorized to make an exception to the provisions in Section VII. of the Terms and Conditions.)
4. that CIRI provide an allocation of 12(b) entitlement for the other villages.
5. that CIRI provide proof of conveyances to the village corporations as they are made.

Your prompt response will be appreciated.

/S/ THOMAS J. CONNOR
ACTING

Enclosures:

- 1) pp. 15 and 16 of draft DIC of 11/9/79
- 2) letter from CIRI dated January 2, 1980
- 3) Agreement of August 31, 1976
- 4) Correspondence re Seldovia's 12(b) selection

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AGREEMENT

This Agreement is made this 31st day of August, 1976, between Cook Inlet Region, Inc. (CIRI) and Thomas S. Kleppe, Secretary of the Interior (hereafter "the Secretary").

A. The Secretary shall, subject to valid existing rights, convey, as soon as reasonably possible, the surface and subsurface estate in all public lands described in Appendix A to CIRI.

B. CIRI shall reconvey the surface estate of such lands to the Village Corporations within the Region pursuant to an agreement between CIRI and the affected Village Corporations, which agreement is attached as Appendix B to this agreement and which agreement may be modified by the parties thereto.

C. To the extent the lands conveyed pursuant to paragraph A when added to lands otherwise heretofore received or to be received by such Village Corporations are insufficient to satisfy their statutory entitlement, the Secretary shall, for the purpose stated in paragraph B, convey subject to valid existing rights to Cook Inlet Region, Inc., such additional lands from Appendix C as are necessary to fulfill such entitlement, except to the extent conveyances of such land are inconsistent with the requirements of Section 12 of P.L. 94-204 (unless the provisions of that section do not take effect) and this paragraph C. Conveyances by the Secretary under this paragraph C shall be made from the lands therein listed in Appendix C and in the order therein listed until the requirements of this subsection are met. Whenever only a part of a listed township

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ENCLOSURE 3

is needed to meet the requirements of this paragraph C, then a part of a listed township shall be conveyed from lands adjacent to lands already conveyed.

D. For the purposes of counting acres received in computing statutory entitlement under paragraphs B and C the Secretary shall count the number of acres surrendered by Village Corporations in any exchange for any other land or selection rights, not the number of acres received in such exchange.

E. In the event it is finally determined that the Secretary has conveyed more land to CIRI pursuant to this Agreement than the Village Corporations are actually entitled to receive under Section 12 of the Alaska Native Claim Settlement Act, (ANCSA), when added to lands otherwise received by such Village Corporations, the excess acreage shall be retained by CIRI and shall be charged against CIRI's entitlement under Section 12(c) of the Settlement Act; however, if the provisions of Section 12 of P.L. 94-204 take effect, such excess acres shall be regarded as conveyances of land outside the boundaries of Cook Inlet Region pursuant to Paragraph I(C)(1) of the Terms and Conditions incorporated in that Act and out-of-region entitlements will be adjusted accordingly.

F. Only the following lands shall be conveyed to Village Corporations within Cook Inlet Region:

- 1) Valid selections made by any Village Corporation within an area withdrawn by Section 11(a)(1) and (2) of the Settlement Act;

K. Except as provided herein, conveyances to CIRI and reconveyances from CIRI to its Village Corporations under this Agreement shall be considered conveyances under ANCSA.

L. If the provisions of Section 12 of P.L. 94-204 take effect, the following lands, which are also described in Appendix C to this Agreement, shall only be conveyed to CIRI where there are Section 12(a) selections on file with the Bureau of Land Management, December 18, 1974, within such lands or where the provisions of Section 12 of P.L. 94-204 permit conveyance:

- (i) lands within withdrawals in the Talkeetna Mountains; and
- (ii) lands from within Village and Region withdrawals on the West Coast of the Cook Inlet Region which lands lie between Township 4 South and Township 2 North, Seward Meridian, generally known as the Chinitna Peninsula; and
- (iii) lands South of Township 8 South in areas withdrawn on the West Coast of the Cook Inlet; and
- (iv) lands within the Lake Clark, Lake Kontrashibuna and Mulchatna River withdrawals.

M. (1) This Agreement shall become effective at such time as the Secretary has statutory authority to convey lands to Cook Inlet Region, Inc., in the manner prescribed in this Agreement.

(2) The draft legislation attached as Appendix D provides sufficient statutory authority to convey lands to Cook Inlet Region, Inc., in the manner prescribed in this Agreement.

2) Valid selections made by Eklutna, Inc., from lands withdrawn by Public Land Order (PLO) 5174, as amended by PLO 5425;

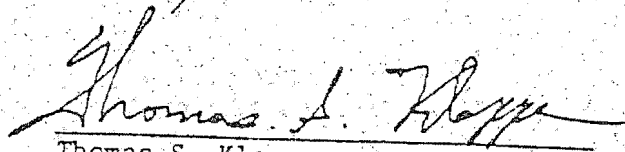
3) Lands conveyed by CIRC pursuant to this section; and pursuant to the Terms and Conditions as clarified August 31, 1976.

G. CIRC shall have the power to administer the lands conveyed pursuant to this Agreement in accordance with the Region-Village agreement attached as Appendix B.

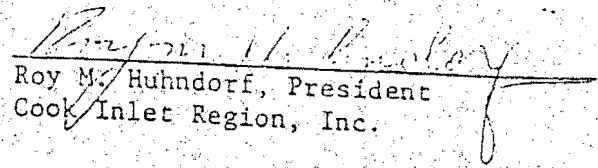
H. Lands authorized to be conveyed pursuant to this Agreement shall be subject to the administration of the Secretary and his authority to make contracts and to grant leases, permits, rights-of-way or easements shall not be impaired prior to conveyance to CIRC pursuant to this Agreement. Any proceeds derived from such administration shall be held and disbursed in the same manner as proceeds under Section 2 of P.L. 94-204.

PSC-443
(I. Title to lands and interests in lands conveyed within the exterior boundaries of Power Site Classification 443, February 13, 1958, will be subject to the reservations required by Section 24 of the Federal Power Act (16 U.S.C. 818).)

J. As soon as is reasonably possible after all lands to be conveyed in any of the separate geographical areas have been conveyed under this authority by the Secretary, the Secretary shall survey those lands in accordance with Section 13 of ANCSA, except that for the purposes of this Section, he shall survey only the exterior boundaries of each entire area conveyed to CIRC and monument the boundary lines at angle points and at intervals of approximately two miles on straight lines. Each township corner located within the exterior boundaries of the land conveyed shall be located and monumented.



Thomas S. Kleppe
Secretary of the Interior



Roy M. Huhndorf, President
Cook Inlet Region, Inc.

APPENDIX A

A. Talkeetna Mountains

Seward Meridian, Alaska

- T. 33 N., R. 1 E.,
Secs. 25, 26, 34 and 35;
- ✓ T. 33 N., R. 2 E.,
Sec. 30, all;
- ✓ T. 32 N., R. 1 W.,
Secs. 5 - 10, all,
Secs. 13 - 36 all;
- ✓ T. 32 N., R. 1 E.,
Secs. 3, 4, 7 - 9, all;
Secs. 18, 19, 30 - 34, all;
- ✓ T. 32 N., R. 2 E.,
Secs. 22, 27, 32 - 36, all;
- T. 32 N., R. 4 E.,
Secs. 25, 34 - 36, all;
- T. 32 N., R. 5 E.,
Secs. 25 - 28, 30 - 36, all;
- T. 32 N., R. 6 E.,
Secs. 25 - 29, 31 - 32, 36, all;
- T. 32 N., R. 7 E.,
Secs. 30 - 31, all;
- T. 31 N., R. 1 W.,
Secs. 1 - 3 all;
- T. 31 N., R. 1 E.,
Secs. 1 - 6 all;
- T. 31 N., R. 2 E.,
Secs. 1, 4 - 6, 12 - 13, 24, all;
- T. 31 N., R. 3 E.,
Secs. 13 - 27, 35 - 36, all;
- T. 31 N., R. 4 E.,
Secs. 2 - 3, 9 - 10, 15 - 16, 19 - 21, 31, all;
- T. 31 N., R. 5 E.,
Secs. 3 - 4, 9 - 11, 13 - 16, all;
- ✓ T. 30 N., R. 2 E.,
Secs. 23 - 25, 34 - 36, all;
- T. 30 N., R. 3 E.,
Secs. 1 - 3, 9 - 12, 15 - 17, 19 - 21,
Secs. 30 - 31, all;

T. 29 N., R. 1 E.,
Secs. 25, 36, all;
T. 29 N., R. 2 E.,
Secs. 1 - 2, 10 - 11, 15 - 16, 20 - 21, 29 - 30, all;

B. Talkeetna Mountains. Up to 103,680 acres to be conveyed from lands
in this subsection B.

Seward Meridian, Alaska

T. 32 N., R. 6 E.,
Secs. 33 - 35 all;
T. 32 N., R. 7 E.,
Sec. 32 (south of Susitna River);
T. 31 N., R. 1 W.,
Secs. 4 - 12 all;
T. 31 N., R. 1 E.,
Secs. 7 - 12 all;
T. 31 N., R. 2 E.,
Secs. 2 - 3, 7 - 11, 14 - 15, 22 - 23, all,
Secs. 25 - 26, 35 - 36, all;
T. 31 N., R. 3 E.,
Secs. 28 - 34, all;
T. 31 N., R. 4 E.,
Secs. 1, 11 - 14, 22 - 30, 32 - 36, all;
T. 31 N., R. 5 E.,
Secs. 1 - 2, 5 - 8, 12, 17 - 24, 26 - 34, all;
T. 31 N., R. 6 E.,
Secs. 1 - 8, 17 - 18, all;
T. 31 N., R. 7 E.,
Secs. 2 - 6, 11 - 12, all (south of the Susitna
River);
T. 30 N., R. 2 E.,
Secs. 1 - 2, 11 - 14, 26, all;
T. 30 N., R. 3 E.,
Secs. 4 - 8, 13 - 14, 18, 22, 28 - 29, 32, all;
T. 30 N., R. 4 E.,
Secs. 1 - 9, all;
T. 30 N., R. 5 E.,
Secs. 5 - 6, all;
T. 29 N., R. 1 E.,
Secs. 13, 23 - 24, 26 - 29, 33 - 35, all;
T. 29 N., R. 2 E.,
Secs. 3 - 4, 8 - 9, 12 - 14, 17 - 19, all;
Secs. 22 - 28, 31 - 33, 36, all;
T. 29 N., R. 3 E.,
Secs. 5 - 8, all.

C. North Tuxedni

Seward Meridian, Alaska

T. 4 N., R. 21 W.,
Secs. 14 - 15, 23 - 25, all;

- T. 4 N., R. 20 W.,
Secs. 30 - 33, all;
- T. 4 N., R. 19 W.,
Secs. 21 - 22, 25 - 27, all;
- T. 4 N., R. 18 W.,
Secs. 4, 9, 16 - 17, 20 - 21, 28 - 33, all;
- T. 3 N., R. 20 W.,
Secs. 2 - 11, 13 - 15, 22 - 25, 36, all;
- T. 3 N., R. 19 W.,
Secs. 19, 25 - 36, all;
- T. 3 N., R. 18 W.,
Secs. 1 - 6, 8 - 12, 14 - 17, 21 - 22, 27 - 34, all;
- T. 3 N., R. 17 W.,
Secs. 5 - 7, all;
- T. 2 N., R. 21 W.,
Secs. 2 - 3, 11, 13 - 15, 23 - 26, all;
- ✓T. 2 N., R. 20 W.,
Secs. 13 - 30, 32 - 35, all;
- ✓T. 2 N., R. 19 W.,
Secs. 1 - 23, 27 - 34, all;
- ✓T. 2 N., R. 18 W.,
Secs. 3 - 8, all.

D. Iniskin

Seward Meridian, Alaska

- T. 3 S., R. 23 W.,
Secs. 4 - 8, 13, 16 - 17, 20 - 21, 24 - 29, all,
Secs. 31 - 36, all;
- T. 4 S., R. 24 W.,
Secs. 12 - 14, 23 - 24, all;
- T. 4 S., R. 23 W.,
Secs. 1 - 4, 7 - 9, 14 - 35, all;
- T. 4 S., R. 22 W.,
Secs. 14 - 36, all;
- T. 5 S., R. 26 W.,
Secs. 29 - 30, 32 - 35, all;
- T. 5 S., R. 25 W.,
Secs. 1 - 2, 10 - 15, 23 - 24, all;
- T. 5 S., R. 24 W.,
Secs. 1 - 2, 6 - 7, 10 - 15, 22 - 28, 33 - 35, all;
- T. 5 S., R. 23 W.,
Secs. 1 - 15, 17 - 35, all;
- T. 5 S., R. 22 W.,
Secs. 3 - 10, 16 - 21, 28 - 33, all;
- T. 6 S., R. 26 W.,
Secs. 1 - 2, 12 - 13, 20 - 29, all;

T. 6 S., R. 25 W.,
Sec. 6, all;
T. 6 S., R. 24 W.,
Secs. 1 - 5, 8 - 23, 26 - 28, all;
T. 6 S., R. 23 W.,
Secs. 1 - 12, 14 - 22, 29 - 30, all;
T. 6 S., R. 22 W.,
Secs. 5 - 6, all;
T. 7 S., R. 26 W.,
Secs. 12 - 13, 20 - 24, 29, all.

E. Iniskin

Seward Meridian, Alaska

T. 4 S., R. 24 W.,
Secs. 19 - 22, 25 - 36, all;
T. 5 S., R. 24 W.,
Secs. 3 - 5, 8 - 9, 16 - 18, 21, all;
T. 5 S., R. 25 W.,
Secs. 3 - 9, 16 - 17, 20 - 22, 25 - 29, 31 - 36, all;
T. 6 S., R. 26 W.,
Secs. 3, 10 - 11, 14 - 15, 34 - 36, all;
T. 6 S., R. 25 W.,
Secs. 1 - 5, 7 - 23, 27 - 32, all;
T. 7 S., R. 25 W.,
Secs. 4 - 9, 17 - 20, all;
T. 7 S., R. 26 W.,
Secs. 1 - 11, 14 - 19, all.

APPENDIX C

A. Tuxedni, South (Priority One lands)

Seward Meridian, Alaska.

- T. 2 N., R. 21 W.,
Secs. 10, 16, 20 - 21, 27 - 28, 33 - 34, all;
- T. 1 N., R. 20 W.,
Secs. 6 - 10, 15 - 16, 22 - 26, 35 - 36, all;
- T. 1 S., R. 21 W.,
Secs. 13 - 14, 23 - 25, all;
- T. 1 S., R. 20 W.,
Secs. 1 - 4, 9, 12, 21, 27 - 34, all;
- T. 1 S., R. 19 W.,
Secs. 7 - 8, 17 - 18, 20, 29, 32, all;
- T. 2 S., R. 21 W.,
Sec. 36, all;
- T. 2 S., R. 20 W.,
Secs. 1 - 3, 10 - 15, 22 - 24, 26 - 28, 31 - 34, all;
- T. 2 S., R. 19 W.,
Secs. 5 - 7, 18, all;
- T. 3 S., R. 21 W.,
Secs. 12 - 16, 19 - 36, all;
- T. 3 S., R. 20 W.,
Secs. 3 - 10, 15 - 21, 30, all;

B. Kakhonak Lake and Bruin Bay (Priority Two Selections)

Seward Meridian, Alaska

- T. 7 S., R. 29 W.,
Secs. 1, 11 - 12, 14 - 16, 21 - 23, all;
- T. 7 S., R. 28 W.,
Secs. 1 - 2, 4 - 7, 10 - 11, 14 - 15, 21 - 22, all,
Secs. 28 - 29, 31 - 33, all;
- T. 8 S., R. 29 W.,
Secs. 1, 3 - 5, 8 - 20, all;
- T. 8 S., R. 28 W.,
Secs. 5 - 7, all;
- T. 9 S., R. 28 W.,
Secs. 1, 12, all;
- T. 9 S., R. 27 W.,
Secs. 6, 7, all;

C. Lake Clark (Priority Three Section lands)

Seward Meridian, Alaska

- T. 11 N., R. 28 W.,
Secs. 16 - 27, all;
- T. 3 N., R. 29 W.,
Secs. 1, 25 - 27, 33 - 36, all;

T. 3 N., R. 28 W.,
 Secs. 5 - 8, 13 - 14, 17 - 18, 20 - 23, 25 - 26, all,
 Secs. 28 - 32, all;
 T. 2 N., R. 30 W.,
 Secs. 2 - 3, 11 - 14, 23 - 27, 33 - 36, all;
 T. 2 N., R. 29 W.,
 Secs. 1 - 5, 7 - 12, 16 - 21, 24 - 25, all,
 Secs. 29 - 30, 35 - 36, all;
 T. 2 N., R. 28 W.,
 Secs. 1, 6, 11 - 15, 19 - 23, 26 - 32, all;
 T. 2 N., R. 27 W.,
 Secs. 2 - 8, 10 - 14, all;
 T. 2 N., R. 26 W.,
 Sec. 18, all;
 T. 1 N., R. 29 W.,
 Secs. 1 - 4, 8 - 23, 29 - 30, all;
 T. 1 N., R. 28 W.,
 Secs. 1 - 2, 7 - 12, 16 - 18, all;
 T. 1 N., R. 27 W.,
 Secs. 7 - 8, 16 - 18, 20 - 23, 25 - 26, 36, all;
 T. 1 N., R. 26 W.,
 Sec. 31, all;
 T. 1 S., R. 29 W.,
 Secs. 25 - 27, 33 - 36, all;
 T. 1 S., R. 28 W.,
 Secs. 30 - 36, all;
 T. 1 S., R. 27 W.,
 Secs. 31 - 32, all.

D. South Tuxedni (Priority Six lands)

 Seward Meridian, Alaska
 T. 1 N., R. 20 W.,
 Secs. 17 - 21, 27 - 34, all;
 T. 1 S., R. 20 W.,
 Secs. 5 - 8, 16 - 20, 35, 36, all;
 T. 1 S., R. 19 W.,
 Secs. 19, 30, 31, all;
 T. 1 S., R. 21 W.,
 Secs. 1, 2, 11, 12, 26, 27, 34, 35, 36, all;
 T. 2 S., R. 20 W.,
 Secs. 4 - 6, 8, 9, 16, 17, 20, 21, 29, all;
 T. 2 S., R. 21 W.,
 Secs. 1 - 3, 10 - 12, 14, 29 - 32, all;
 T. 3 S., R. 21 W.,
 Secs. 1, 2, 5 - 11, 17, 18, all;

E. North Tuxedni (Priority Four lands)

Seward Meridian, Alaska

T. 4 N., R. 18 W.,

Secs. 5 - 8, 18, 19, all;

T. 4 N., R. 19 W.,

Secs. 1 - 2, 10 - 14, 17 - 20, 23 - 24, all,

Secs. 28 - 29, 33 - 36, all;

T. 4 N., R. 20 W.,

Secs. 28 and 34, all;

T. 3 N., R. 18 W.,

Secs. 7, 18 - 20, all;

T. 3 N., R. 19 W.,

Secs. 1 - 2, 12 - 13, 15, 17 - 18, 20 - 24, all;

T. 3 N., R. 20 W.,

Secs. 12, 26, 27, 35, all;

T. 3 N., R. 21 W.,

Secs. 31 - 35, all;

T. 2 N., R. 20 W.,

Secs. 1, 7 - 12, all;

T. 2 N., R. 21 W.,

Sec. 12, all;

F. Iniskin (Priority Five lands)

Seward Meridian, Alaska

T. 3 S., R. 23 W.,

Secs. 18, 22 - 23, all;

T. 4 S., R. 24 W.,

Secs. 1 - 2, 11, all;

T. 4 S., R. 23 W.,

Secs. 5 - 6, all;

T. 5 S., R. 26 W.,

Secs. 25 - 28, 31, 36, all;

T. 5 S., R. 25 W.,

Sec. 30, all;

T. 6 S., R. 26 W.,

Secs. 19, 30 - 33, all;

T. 7 S., R. 26 W.,

Secs. 30 - 31, all;

G. Kakhonak Lake and Bruin Bay (Priority Seven lands)

Seward Meridian, Alaska

T. 7 S., R. 29 W.,

Secs. 2 - 10, 13, 17 - 20, 24 - 36, all;

T. 7 S., R. 28 W.,

Secs. 3, 8 - 9, 12 - 13, 16 - 20, 23 - 27, all,

Secs. 30, 34 - 36, all;

T. 7 S., R. 27 W.,

Secs. 1 - 2, 11 - 12, 13 - 14, 23 - 32, 36, all;

T. 8 S., R. 29 W.,
 Secs. 2, 6 - 7, 21 - 32, all;
 T. 8 S., R. 28 W.,
 Secs. 1 - 4, 8 - 30, 34 - 36, all;
 T. 8 S., R. 27 W.,
 Secs. 1, 5 - 8, 12 - 13, 17 - 20, 24 - 25, all,
 Secs. 29 - 32, 34 - 36, all;
 T. 8 S., R. 26 W.,
 Secs. 5 - 9, 16 - 21, 28 - 32, all;
 T. 9 S., R. 30 W.,
 Secs. 1 - 36, all;
 T. 9 S., R. 29 W.,
 Secs. 7, 18 - 36, all;
 T. 9 S., R. 28 W.,
 Secs. 2 - 5, 8 - 11, 13 - 23, 26 - 35, all;
 T. 9 S., R. 27 W.,
 Secs. 1 - 5, all;
 T. 10 S., R. 30 W.,
 Secs. 1 - 36, all;
 T. 10 S., R. 29 W.,
 Secs. 1 - 23, 26 - 34, all;
 T. 10 S., R. 28 W.,
 Secs. 4 - 8, all;
 T. 11 S., R. 30 W.,
 Secs. 3, 10, 15, 22, 25 - 27, 34 - 36, all;
 T. 11 S., R. 29 W.,
 Secs. 3, 10, 15 - 16, 20 - 23, 26 - 33, all;
 H. Lake Clark (Priority Eight lands)
 Seward Meridian, Alaska
 T. 3 N., R. 29 W.,
 Secs. 2, 10 - 12, 14 - 15, 22 - 23, 28, all;
 T. 3 N., R. 28 W.,
 Secs. 9, 12, 15 - 16, 19, all;
 T. 2 N., R. 30 W.,
 Secs. 15 - 17, 19 - 22, 28 - 32, all;
 T. 2 N., R. 28 W.,
 Secs. 25, 34 - 36, all;
 T. 2 N., R. 27 W.,
 Secs. 9, 24, all;
 T. 2 N., R. 26 W.,
 Secs. 1, 2, 8 - 11, 16 - 17, 19 - 20, all,
 Secs. 28 - 30, 33 - 36, all;
 T. 1 N., R. 29 W.,
 Secs. 24, 26, 35, all;
 T. 1 N., R. 28 W.,
 Secs. 3, 13, 15, 19 - 20, all;

T. 1 N., R. 27 W.,
 Secs. 5 - 6, 9, 15, 24, 27 - 28, all;
 T. 1 N., R. 26 W.,
 Secs. 30, 32, all;
 T. 1 S., R. 29 W.,
 Secs. 3, 11, 14, 21 - 24, 28, 31 - 32, all;
 T. 1 S., R. 28 W.,
 Secs. 25 - 29, all;
 T. 1 S., R. 27 W.,
 Secs. 1 - 2, 30, all;
 T. 1 S., R. 26 W.,
 Secs. 4 - 6, all.

I. Talkeetna Mountains (Priority Nine lands)
 Seward Meridian, Alaska

T. 33 N., R. 1 W.,
 Secs. 13, 23 - 24, 26 - 27, 33 - 34, all;
 T. 33 N., R. 2 E.,
 Secs. 16 - 17, 19 - 20, all;
 T. 32 N., R. 1 W.,
 Secs. 1 - 4, 11 - 12, all;
 T. 32 N., R. 1 E.,
 Secs. 1 - 2, 10 - 17, 20 - 29, 35 - 36, all;
 T. 32 N., R. 2 E.,
 Secs. 15 - 21, 28 - 31, all;
 T. 32 N., R. 7 E.,
 Secs. 3 - 4, 8 - 9, 17 - 20, 25 - 29, all;
 Secs. 32 - 36, (all north of Susitna River)
 T. 31 N., R. 7 E.,
 Secs. 1 - 3, 12 (all north of Susitna River)
 Secs. 13, 24, 25, 36, all;
 T. 31 N., R. 8 E.,
 Secs. 1 - 24, 30 - 31, all;
 T. 31 N., R. 9 E.,
 Secs. 7, 16 - 29, 36, all;
 T. 31 N., R. 10 E.,
 Sec. 31, all;
 T. 30 N., R. 7 E.,
 Sec. 1, all;
 T. 30 N., R. 8 E.,
 Sec. 6, all;
 T. 30 N., R. 9 E.,
 Secs. 1, 12, all;
 T. 30 N., R. 10 E.,
 Secs. 6 - 17, all;
 T. 30 N., R. 11 E.,
 Secs. 7, 17 - 21, 25 - 29, 32 - 36, all;
 T. 29 W., R. 2 W.,
 Secs. 1 - 22, 27 - 34, all;
 T. 29 W., R. 11 E.,
 Secs. 1 - 5, all.

APPENDIX D

Sec. 4.(a) The Secretary is authorized to convey lands selected by Village Corporations within Cook Inlet Region to the Cook Inlet Region, Incorporated, for reconveyance by the Region to such Village Corporations. Such lands shall be conveyed as partial satisfaction of the statutory entitlement of such Village Corporations under section 12 of the Alaska Native Claim Settlement Act (ANCSA) from lands withdrawn pursuant to section 11(a)(3) and, with the consent of the Region affected, as provided in section 12 of P.L. 94-204, from lands outside the boundaries of Cook Inlet Region. This authority shall not be employed to increase or decrease the statutory entitlement of any Village Corporation or Cook Inlet Region, Incorporated, under ANCSA or to alter the obligations of the Secretary pursuant to section 12 of P.L. 94-204. For the purposes of counting acres received in computing statutory entitlement, the Secretary shall count the number of acres or acre selections surrendered by Village Corporations in any exchange for any other lands or selections.

(b) After lands have been conveyed by the Secretary under subsection (a), the Secretary shall survey those lands in accordance with section 13 of ANCSA, except that for the purposes of this section he shall survey only the exterior boundaries of each entire area conveyed to Cook Inlet Region, Incorporated, and monument the boundary lines at angle points and at intervals of approximately two miles on straight lines. Each township corner located within the exterior boundaries of the land conveyed shall be located and monumented.

(c) Conveyances made under the authority of subsection (a) of this section shall be considered conveyances under ANCSA and subject to the provisions of that Act, except as provided by this Act.

BRB
March 7, 1976

Honorable Kay Poland
Chairman
Senate Resources Committee
State of Alaska
Pouch V
Juneau, Alaska 99811

Dear Senator Poland:

Enclosed is the report containing the determinations of the Joint Federal-State Land Use Planning Commission on the Cook Inlet land settlement. Time did not allow for mass reproduction of the report for distribution to each member of the Legislature.

Two copies of the background materials are also enclosed for use by members of the Legislature.

We appreciate the information furnished by the Joint Resources Committee for the Commission's use in considering the matter.

Sincerely,

Burton W. Silcock
Federal Co-Chairman

BWS:go

Enclosures (2)

1. A Report To The Senate And House Of Representatives Resources Committees Of The Alaska State Legislature On The Proposed Cook Inlet Land Trade.
2. Backup materials.

Federal-State
Land Use Planning Commission
For Alaska

733 W. FOURTH AVENUE, SUITE 400
ANCHORAGE, ALASKA 99501

A REPORT TO THE SENATE AND HOUSE OF REPRESENTATIVES
RESOURCES COMMITTEES OF THE ALASKA STATE LEGISLATURE
ON THE PROPOSED COOK INLET LAND TRADE

This report is a summary of the primary considerations underlying the recommendation of the Commission on the proposed Cook Inlet Land Trade. It is submitted in response to a request for Commission review and recommendation made on February 11, 1976 by the Resources Committees of the Alaska State House of Representatives and Senate and by the President of the Senate, Senator Chancy Croft, on February 17, 1976.

The Commission's recommendation is:

That appropriate legislation be passed authorizing the Cook Inlet Settlement under the terms and conditions of P.L. 94-204.

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SYNOPSIS OF PROPOSED LAND TRADE

Section 12 of Public Law 94-204, passed by Congress on January 2, 1976, together with an agreement entered into December 10, 1975, by representatives of the Department of the Interior, Cook Inlet Region, Inc., and the State of Alaska, which is incorporated by reference in the Act, sets out the terms and conditions of the Cook Inlet Land Trade. The major elements of this complex trade are:

-Agreement by Cook Inlet Region to shift more than half of its statutory entitlement under ANCSA away from the Cook Inlet area and, with the consent of other regions and villages, into adjacent regions.
-Conveyance by the Federal government of approximately 50 townships of land to the State of Alaska above the entitlement provided in the Alaska Statehood Act, as well as key tracts such as Campbell Airstrip, Campbell Point, Point Woronzof, and Goose Lake in the Anchorage bowl in exchange for approximately 20.5 townships of State land to be conveyed to the United States for the benefit of the Cook Inlet Region and certain of its village corporations. This results in an increase of total State land selections of approximately 30 townships.
-Conveyance by the Federal government of approximately 10,000 acres in fee and 220,000 acres of subsurface rights outside of known producing oil fields in the Kenai National Moose Range and certain other lands to Cook Inlet Region, Inc., in addition to the lands received from the State. The lands received by Cook Inlet are in complete satisfaction of its entitlement under Section 12(c) and Section 14(h)(8) of ANCSA.

A map illustrating the current land status of the region and one delineating the lands proposed for exchange with an accompanying chart of the size of the tracts are on the following pages. Full details of the settlement may be found in the agreement which is reproduced in House Report 94-729, dated December 15, 1975.





State ratification of the endorsement requires legislative concurrence no later than sixty days after the convening of the second session of the Ninth Alaska State Legislature, or by March 12, 1976.

MARCH 1978

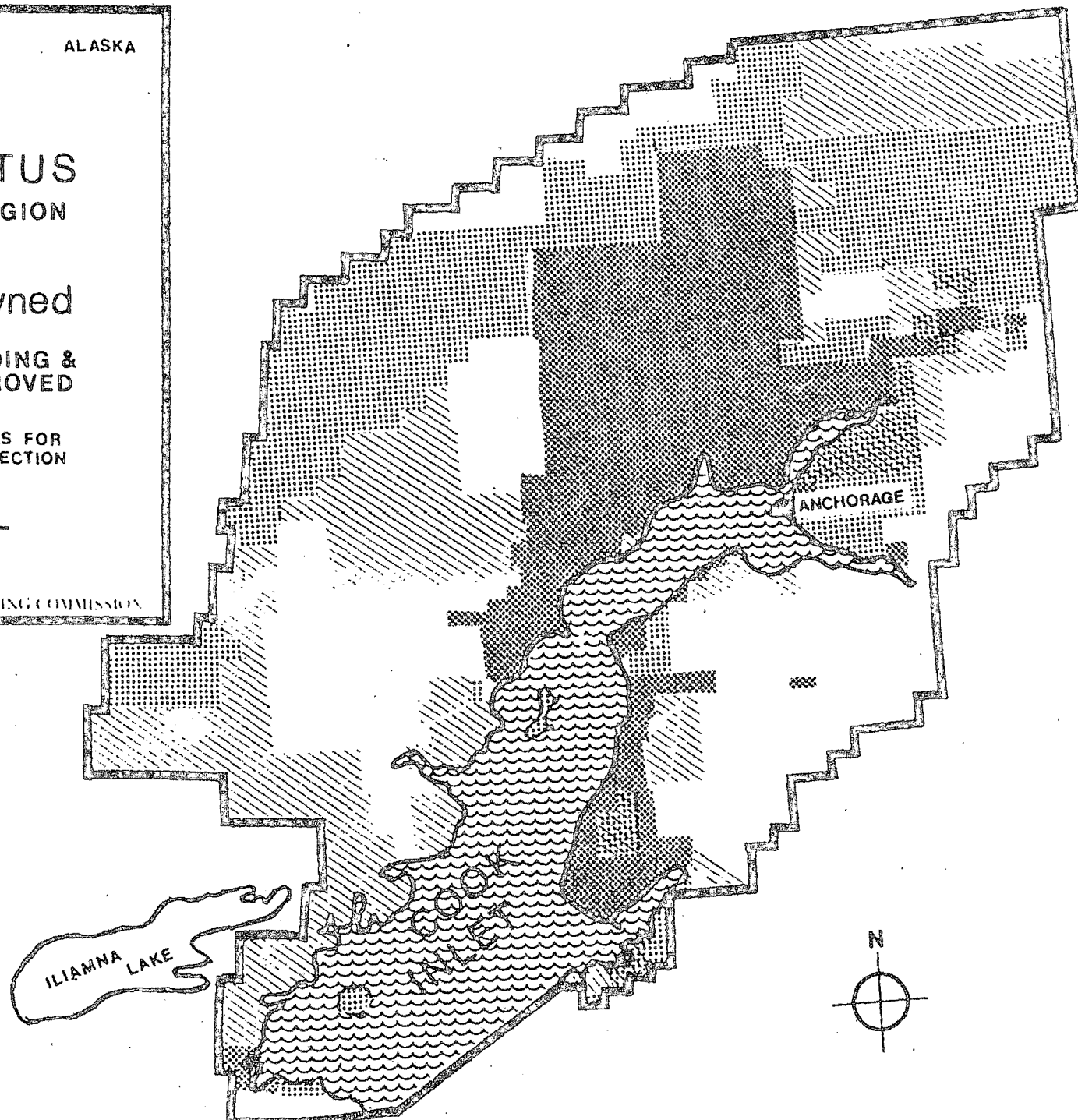
ALASKA



CURRENT
LAND STATUS
COOK INLET REGION

-  State Owned
-  State PENDING & APPROVED
-  Native AREAS FOR SELECTION
-  FEDERAL

FEDERAL STATE LAND USE PLANNING COMMISSION




MARCH 1976

ALASKA




PROPOSED COOK INLET LAND EXCHANGE SETTLEMENT

 Native*

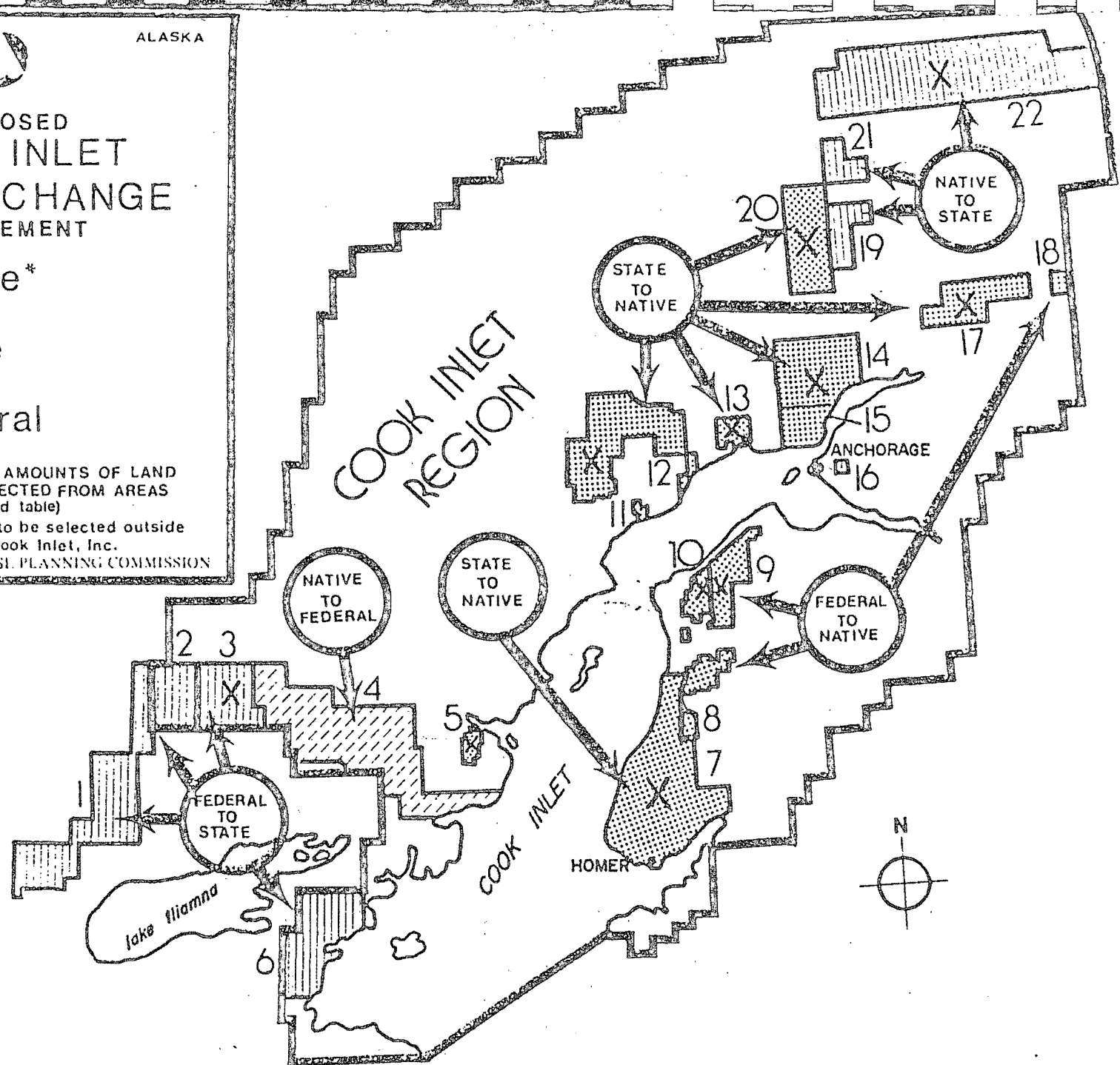
 State

 Federal

 SMALLER AMOUNTS OF LAND
TO BE SELECTED FROM AREAS
(see attached table)

* 29.66 Townships to be selected outside
region by Cook Inlet, Inc.

FEDERAL STATE LAND USE PLANNING COMMISSION



PROPOSED COOK INLET LAND EXCHANGE

<u>Map No.</u>	<u>Area Name</u>	<u>Approx. Area Size in Twnshps.</u>	<u>Approx. Number of Townships to be Selected, and Notes</u>
1	Nushagak-Chulitna	19	23-27 - depends on village lands relinquished in Lake Clark. Additional from d-2.
2	Tutna Lake	7	7*
3	Koksetna	7	See No. 22
4	Lake Clark	28	All village selections to U.S.
5	Tuxedni	2	.5 - plus road and port easement.
6	Kamishak Bay	13	13*
7	Kenai	25	5 - scattered sites from State land, subject to State guidance.
8	Tustumena	.5	.5
9	Moose Range	4)	3.6 to 9.6 - varies with other selections. Subsurface oil, gas, and coal only. Excludes existing production.
)	
10	Moose Range	6)	
11	Nikolai)	16	13.5 - excludes Beluga and Nikolai gas fields.
)		
12	Beluga)		
13	Alexander	2	Depends on area relinquished in Lake Clark. Probably less than .25
14	Knik-Willow	12	.19 - see note, area 7.
15	Point Mackenzie	4	.14 - see note, area 7.
16	Campbell Tract	.2	.2
17	Chickaloon	7	.2 - see note, area 7.
18	Matanuska Glacier	1	All U.S. interest.
19	Sheep Creek	4	4*
20	Kashwitna	10	1.7
21	Talkeetna River	3	3*
22	Susitna-Chunilna	36	1* (Chunilna) 12.4 - option here and area 3.

<u>Area Name</u>	<u>Approx. Area Size in Townships.</u>	<u>Approx. Number of Townships to be Selected, and Notes</u>
not shown on map:		
Anchorage area	.1	Miscellaneous tracts if surplus.
Healy	1	1
Intra-Regional exchange pool	6	0-6 - from surplus or revoked U.S. reserves and unperfected land entries. Available for exchange only on acre/equivalent basis for extra regional selection.
Extra Regional	N.A.	Up to 29.6 - subject in part to exchange, appropriate village regional, U.S., and State agreement, and State %-strike provisions.

* These total 28 townships - only 26 to be selected.

THE COMMISSION'S ROLE

The Joint Federal-State Land Use Planning Commission for Alaska was created by Act of Congress in the Alaska Native Claims Settlement Act and by Act of the Legislature of the State of Alaska (A.S. 41.40.010). The primary goals of the Commission as established by law are to:

(1) insure that the economic growth of Alaska is orderly and compatible with environmental values and the economic and social well-being of the State's residents; and (2) plan for the wisest and best use of Alaska's lands. The Commission is expressly directed to: (1) seek ways to avoid conflicts among the State, the Federal government, and Alaska Natives over the selection, use, and management of lands; (2) improve coordination between the State and Federal governments; and (3) recommend changes in laws, policies, and programs affecting land use and management in Alaska. The Commission has ten members, half of whom serve as Federal appointees and half appointed by the State of Alaska.^{1/} Providing executive leadership are the Governor of Alaska or his designee as State Co-Chairman and a Federal Co-Chairman appointed by the President of the United States. The Governor is required by law to name an Alaska Native to, at least, one of the State seats on the Commission. A small staff, including planners, resource specialists, lawyers, and economists, supports the Commission in its deliberations.

The Commission as a body upon which State, Federal, and Alaska Native interests are represented and whose mandated intent is to promote cooperation and resolve conflicts among these major landowners, occupies a unique position from which to provide oversight on land trades and adjustments.

Commission Involvement in Cook Inlet Selection Problems

Section 17(a)(7)(B) of the Alaska Native Claims Settlement Act directs the Commission to make recommendations concerning proposed land selections by Native village and regional corporations. Pursuant to this and other authority provided in Section 17(a) of the Act the Commission has been involved since 1972 in seeking a satisfactory solution to the land selection problems which have confronted Cook Inlet Region, Inc., and its constituent villages.

In general and specific recommendations the Commission recognized the necessity of providing lands of "similar in character" to Cook Inlet Region, Inc. to fulfill their entitlement under the Claims Act. Constraints imposed by the Claims Act prohibit selections of State lands, selections within the Kenai Moose Range, selections out of the Cook Inlet Region, or selections within a two-mile buffer zone of first class municipalities. In recognition of these constraints and problems they posed for fulfillment of the Native entitlement, the Commission recommended on March 29, 1974 that acreage in the Lake Clark area be withdrawn for Cook Inlet Region, Inc. When it appeared that Congressional amendments to the

^{1/} Two vacancies, one State seat and one Federal seat, currently exist on the Commission.

Claims Act would remove most of these prohibitions and that negotiations between the Department of the Interior and Cook Inlet Region, Inc. also included the participation of State government, the Commission on October 30, 1975 communicated its unanimous support of the approach taken by the negotiators. The Commission set out the premises of its support of the concept and cautioned that technical problems required solution and that the views of neighboring regions and the full participation of Cook Inlet villages be obtained. (Copies of the letters communicating the actions cited above, as well as a detailed summary of Commission involvement in the Cook Inlet land selection problems, are included as Appendix A.)

Public Law 94-204 was enacted by Congress January 2, 1976 incorporating the agreement reached through the negotiations entitled "Terms and Conditions for Land Consolidation and Management in Cook Inlet Area." In its deliberations on the agreement, the House and Senate Resources Committees met in joint session on February 11, 1976, and passed a motion to request Commission review and report to the Legislature on the agreement.

The Commission's Review

In response to the Legislature's request, all staff were committed to an intensive compilation and analysis of land and resource data and legal issues. A special session of the Commission was scheduled for March 5 and 6. Data was solicited from all parties to the exchange, other Federal and State agencies, and the public. Transcripts of legislative and administrative hearings and minutes of legislative committee meetings on the proposed settlement were reviewed, together with testimony both supporting and opposing the settlement^{2/} in order to assure that all major issues and questions would be addressed in the Commission deliberations. Data previously compiled in the Commission's Statewide Resources Inventory and research conducted in prior instances when the selection problems of the Cook Inlet Region have been considered by the Commission were reviewed. Staff presentations reflected multidisciplinary expertise and individual evaluations of alternatives to the proposed settlement.

Commissioners had the opportunity to review staff memoranda and information submitted from other sources prior to the meeting and to consult directly with the staff a day in advance of the meeting. Problems with the settlement were cited by staff, as well as benefits accruing to the settlement parties. At the meeting, comprehensive presentations were made by the lead negotiators of the Federal and State governments and the Cook Inlet Region, Incorporated. Commissioners posed questions on all major aspects of the proposed settlement to the negotiators. Each geographical area subject to the proposed exchange was examined.

^{2/} Written statements and documentation from Harold Galliett, David S. Jackman, and Bristol Bay Native Corporation. Copies of these statements and documents are included in the notebooks transmitted to the two Resources Committees.

PRIMARY CONSIDERATIONS

In evaluating the proposed land trade, the Commission considered how the wide variety of interests of different citizen groups affected by this trade had been accommodated. The Commission and the State have a responsibility to protect the interests of the 6,000 citizens of Cook Inlet as they strive to receive their rights from the Federal government under the Alaska Native Claims Settlement Act. At the same time, the interests of the citizens of the State as a whole, of which the Cook Inlet people are a part, must not be sacrificed. The effect of the trade on the State's overall economic well-being must be assessed and the rights of other Native regional corporations must be considered. The Anchorage area, which has been the center of the State's rapid population growth, has a need for close-in recreation space which must be considered, and plans for Anchorage's north/south runway and for a new State capital site must not be jeopardized by the trade. In addition to these and other factors which concern both the Commission and the State, the Commission has a responsibility to consider the national interest in Federal lands and in nationally and internationally important resources such as the Bristol Bay fishery.

Among the many different interests affected by the proposed trade, the Commission identified the following as primary considerations:

Overall Considerations

1. The decision on this proposal is not simply whether or not to approve this trade but, rather, whether this is the best of a range of congressional and judicial alternatives.^{1/} One element is certain--Cook Inlet's entitlement under the Settlement Act to approximately 54 townships of land must be satisfied in some manner.
2. The negotiated approach embodied in this proposal represents a far better means of harmonizing conflicting interests than the other alternative means by which the Federal government might meet its obligations to Cook Inlet. Without a three-party negotiation, the transfer would be between the Federal government and Cook Inlet, and the State would have little or no input. Through the terms and conditions built into this negotiated proposal, checks and balances have been provided to insure that the interests of all parties are protected.
3. The cooperation of Federal, State, and Native interests to come to a mutually acceptable trade sets a healthy precedent for future land planning in Alaska. In the future, joint planning by the three major landowners within the State is essential if the massive redistribution of land tenure caused by the Statehood Act and the Alaska Native Claims Settlement Act is to be arranged into a satisfactory management pattern.

^{1/} Detailed in Appendix B.

4. This agreement involved a great deal of give and take by the parties involved. For example, Cook Inlet agreed to take over half of its entitlement outside its own region in areas that are generally remote from the Cook Inlet people, and to accept Federal and State controls over land selection and use that would not be required under the regular provisions of the Settlement Act.
5. The proposal provides protection for the interests of Native corporations in other regions by giving both village and regional corporations veto powers over selections adjacent to and up to 12 miles from lands withdrawn for selection by Native corporations within the region.
6. State selections in the early years of Alaska statehood were concentrated in the area that was to become the Cook Inlet Region. By 1971, when the Settlement Act passed, the lowlands of the region were virtually all in State and private ownership except for Federal withdrawals such as the Moose Range and the military reservations. Given this situation, without the proposed settlement, and without State assistance and the State selected lands, there is little leeway within the Cook Inlet Region to satisfy Cook Inlet's entitlement to lands "of a character similar" to village sites.

Legal Considerations

1. The probability of protracted law suits is less under this proposal than under other alternative ways by which the Federal obligation to Cook Inlet could be fulfilled.
2. Most of the legal impediments to the proposed trade were removed by Public Law 94-204.^{2/} The only remaining legal necessity to enable the trade is for the State Legislature to approve the conveyance of subsurface by the State government and to waive requirements for determination of equal value on a purely monetary basis.
3. The conflict between Anchorage's proposed north/south runway extension and park and recreation uses is recognized by all parties involved. This problem may be solved by the Federal process of surplusing Federal withdrawals which would eliminate land identified as needed for airport purposes from the parcel before conveyance to the State for park and recreation purposes.
4. All vested third party interests are protected by the terms and conditions of the proposed agreement. Lands made available for Native selections were in areas where there were already many private land holdings which will be protected.

^{2/} Detailed in Appendix C.

5. Approval of the proposed trade would assure the continuance of the 1972 settlement between the State and the Department of the Interior.^{3/} Without this trade, the Cook Inlet Region will continue its litigation which challenges the 1972 settlement. A decision in favor of Cook Inlet would jeopardize approximately two-thirds of the State's existing land selections.

Land Use Considerations

1. Under the terms of the agreement, the State obtained powers to guide and control the selection process and to keep lands with particular values for recreation and other public purposes in public ownership. Similar planning powers would be unavailable to the State under the unnegotiated alternatives to this proposal.
2. The trade is designed to protect the large regions in Southcentral Alaska which have high values for public purposes.^{4/} Ownership boundaries around such areas, for example, Lake Clark, Iliamna Lake, and the proposed Talkeetna State Park, have been drawn to establish workable management units.
3. Where possible, land ownership units have been consolidated and simplified. For example, blocks of State owned land are expanded in the Susitna Valley and west of Iliamna Lake, and village holdings on the west side of Cook Inlet have been consolidated.
4. This trade provides substantial protection for the Kenai National Moose Range, which has high public value as a prime recreation area for the State's rapidly growing population. Other proposed alternatives could have conveyed large areas of Moose Range surface ownership or producing oil fields to Cook Inlet.
5. Native villages will receive lands closer to village sites than under existing selection withdrawals which were far removed from villages. Such lands generally have more use and value for village purposes.
6. The proposed trade will enable Cook Inlet to acquire lands that are suitable for private land use purposes. Lands which have currently been made available for Cook Inlet selection are primarily mountainous areas which would have little or no value for a private corporation.
7. The trade retains proposed capital site areas in State ownership.
8. The trade will accelerate and assure the transfer to the State of prime areas for recreation and public purposes in the urban area of the Anchorage bowl. Of special concern to the Municipality of Anchorage is the Campbell tract. The agreement specifies that this

^{3/} Copy of 1972 agreement included in notebook submitted to the Resources Committees.

^{4/} Detailed in Appendix D.

tract will be managed in accordance with a generalized land use plan already proposed for the area. If and when other Federal tracts, i.e., Point Woronzof, Point Campbell, and Goose Lake, are declared surplus for Federal use, they, also, will be conveyed to the State.

Economic Considerations

1. Because of the nature and complexity of the trade, and the very real difficulties in applying ordinary valuation methods, broad economic standards must be used in judging the trade. These standards must include the Commission's mandate to make recommendations relating to orderly economic growth compatible with other social, cultural, and environmental values. The standards must also include an assessment of the impact of the trade on the future fiscal and economic well-being of Alaska.
2. The economic losses that the State will purportedly incur as a result of the trade appear to be exaggerated. When highly speculative gross asset values are converted to "net present value" of probable foregone revenues, the State's expected losses are minimal.^{5/}
3. The future fiscal viability of the State is largely unaffected by the trade. This is so for a variety of reasons, including the following:
 - a. Economic development is at least as likely to occur if resources are in private ownership as would be the case if the State retained ownership of the resources. Thus, State revenues from corporate income taxes, personal income taxes, and most other tax sources will be at least as great under private resource ownership as public. Economic rents that might possibly be foregone (in the form of royalties) can for the most part be recouped through the State's power of taxation.^{6/}
 - b. It is probable that revenues foregone under the proposed trade will constitute only a minute fraction of total State revenues in the future. Anticipated revenues in the 1990's, amounting to several billion dollars annually, dwarf potential foregone revenues. For example, expected coal royalties from a proposed development in the Beluga fields are only about 1.5 million dollars per year, which amounts to about 0.03 percent of projected total State revenues in 1990.
4. The general level of economic activity will be largely independent of resource ownership. In fact, if Cook Inlet Region is assumed to be at least as development oriented as the State, then total economic activity can be expected to increase.

^{5/} Detailed in Appendix E.

^{6/} Detailed in Appendix E.

5. Economic benefits to Cook Inlet will, in part, be redistributed to other regional corporations in the State under the provision in the Settlement Act which requires that 70 percent of the revenues from resource development by any one Native regional corporation be shared with all the regional corporations.
6. The proposed trade protects the State's Swanson River petroleum revenues by excluding all producing oil fields within the Moose Range from conveyance to Cook Inlet.

RECOMMENDATIONS

Cook Inlet Trade

After its consideration of the major issues and aspects of the proposed settlement, Commissioner James Hurley moved and Commissioner Celia Hunter seconded "That this Commission recommend to the Joint Resources Committee of the Alaska Legislature that appropriate legislation be passed authorizing the Cook Inlet settlement under the terms and conditions of P.L. 94-204." The motion carried unanimously, with Federal Co-Chairman Burton W. Silcock, Acting State Co-Chairman George W. Roger, and Commissioners James J. Hurley, Celia M. Hunter, Phil R. Holdsworth, Joseph H. FitzGerald, John W. Schaeffer, and Richard A. Cooley voting "aye".

The recommendation made, the Commission proceeded to address guidelines for future land exchanges. Summarized below are tentative general guidelines accepted by the Commission.

Future Land Trades

It has become increasingly apparent that a series of trades and exchanges will be necessary to adjust land ownership patterns established by the Statehood Act to enable sound land use planning and management by all involved. Both the Commission and members of the State Legislature have recognized the necessity for legislation which would guide and facilitate the exchange process. With clearer ground rules, much of the complexity and difficulties experienced in the Cook Inlet land trade could be reduced.

The Cook Inlet experience offers an excellent test case which should be carefully studied in developing guidelines for future land trades. The basic elements for such exchange legislation, as suggested by the Cook Inlet experience, are as follows:

1. Land trades should further the establishment of land ownership patterns that will enable planning and management to foster the wise use and disposition of land and land resources.
2. Land trades should result in an equitable exchange of values between the parties involved. In determining equity, intangible values such as sound land use and management as well as social and economic benefits should be included.
3. Trade procedures should include consultation with affected local governments and relevant State and Federal agencies, as well as a specific program for public consultation.

The Commission plans to analyze the Cook Inlet trade process in detail, as well as to review land trade and exchange procedures utilized elsewhere. On this basis, the Commission will make recommendations for legislation that would establish guidelines for future land exchange.

COOK INLET VILLAGE SETTLEMENT

SEC. 1432. The Secretary is directed to:

(a) Terminate the review of the eligibility of Salamatof Native Association, Incorporated and withdraw any determination that said village corporation is not eligible for benefits under section 14(a) of this Act.

(b) Implement the agreement among the Secretary, Cook Inlet Region, Incorporated and Salamatof Native Association, Incorporated, which agreement dated August 17, 1979, had been filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs in the House of Representatives, the terms of which are hereby authorized.

(c) Remove from the Kenai National Moose Range the surface estate of any land, therein to be conveyed to Salamatof and the subsurface estate of any lands therein conveyed or to be conveyed to Cook Inlet Region, Incorporated, pursuant to the agreement authorized to be implemented under subparagraph (ii) of this paragraph.

(d) Implement an agreement among Cook Inlet Region, Incorporated, the corporation representing the Village of Alexander Creek, the corporation representing the group of Alexander Creek and the United States, if such agreement is filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives prior to December 18, 1979, the terms of which are hereby authorized, and upon performance of the conditions precedent set forth in said agreement, certify Alexander Creek, Incorporated, as a group corporation, eligible for land and other benefits under the Alaska Native Claims Settlement Act and this Act.

(e) Treat lands conveyed to Alexander Creek as lands conveyed to Village Corporations for the limited purpose of calculating the acreage to be charged against the entitlement of Cook Inlet Region under section 4 of Public Law 94-456.

43 USC 1611
note.

(f) Accept any lands that are tendered by the State of Alaska for the purpose of implementing the agreement described in subparagraph (i) of this paragraph, such tender not to be subject to the provisions of section 6(i) of the Alaska Statehood Act (72 Stat. 339).

note
1.

LAKE CLARK LAND TRADE AGREEMENT BETWEEN
COOK INLET REGION, INC. AND THE VILLAGES
OF NINILCHIK NATIVE ASSOCIATION, INC.,
KNIKATNU, INC., ALEXANDER CREEK NATIVE
ASSOCIATION, INC., SALAMATOFF NATIVE
ASSOCIATION, INC., ~~YUP'IK NATIVE ASSOCIATION, INC.~~
AND CHICKALOON NATIVE ASSOCIATION, INC.

The purpose of this Agreement is to have the above-named Native Villages withdraw their selection applications and relinquish all claims to lands in the Lake Clark, Lake Kontrashibuna and Malchatna River areas (hereafter referred to as the "Lake Clark area") in exchange for lands more adjacent to the respective Village. Each Village shall "trade-out" of the Lake Clark area by receiving one acre for every two acres it relinquishes. The State of Alaska shall provide one-half of the "trade-out" acreage, and Cook Inlet Region, Inc. shall provide the other one-half. Cook Inlet Region, Inc. shall appoint members of each Village to negotiate with the State of Alaska for the identification of the lands the State is to provide the respective Village. All lands owned by the State of Alaska which are identified for conveyance to the Villages in accordance with this Agreement shall be conveyed by the State to the United States. The United States shall then convey said lands to Cook Inlet Region, Inc. and Cook Inlet Region, Inc. shall then convey the lands to the respective Village. Each Village's land entitlement under ANCSA shall be diminished in an amount equal to one-half (1/2) of the acreage it relinquishes in the Lake Clark area.

I. NINILCHIK NATIVE ASSOCIATION, INC.

Ninilchik has selected 13,376 \pm acres in the Lake Clark area. It's "trade-out" acreage entitlement is therefore 6,688 \pm acres. (If the Alaska Native Claims Appeal Board or the Court eventually determine that Borough selections are available for Village selection, Ninilchik's "trade-out" acreage would then be 4,229 \pm acres. For purposes of this Agreement it is assumed that Borough selections will not be available for Village selection and the 6,688 \pm acres figure will therefore be used. If Borough selections are later determined to be available for Village selection, the acreage which the State and CIRI are to provide Ninilchik shall be adjusted accordingly). The State of Alaska

shall provide one-half of the trade-out acreage (3,344 acres), and Cook Inlet Region, Inc. shall provide the other one-half (3,344 acres).

A. Cook Inlet Region, Inc., the State of Alaska and Ninilchik Native Association, Inc. have Agreed that the lands described in the document attached hereto as Appendix "A" shall be conveyed to Ninilchik. Ninilchik shall receive all of said lands in Appendix "A" (6,020 \pm acres) in the event that Borough selections are determined by ANCAB or the Court not to be available for Village selection under ANCSA. In the event that Borough selections are determined to be available for Village selection, Ninilchik shall be entitled to 4,229 \pm acres. In either event, the lands described in Appendix "A" are described in priority order and they shall be conveyed to Ninilchik in that order.

B. Ninilchik is entitled to an additional 688 \pm acres which Cook Inlet Region, Inc. is obligated to provide. Cook Inlet Region, Inc. shall provide said 688 \pm acres as follows:

(1) The lands to be identified shall be within what is commonly known as Ninilchik's 11(a)(1) withdrawal, unless otherwise mutually agreed upon between Ninilchik and CIRI.

(2) Ninilchik and CIRI shall make good faith efforts to mutually identify the 688 \pm acres which CIRI is obligated to provide Ninilchik. Said mutual identification shall take place within ninety (90) days of the date of this Agreement.

(3) To the extent that Ninilchik and CIRI are unable to mutually identify 688 \pm acres, the difference between 688 \pm acres, and the number of acres which the parties have mutually identified shall be multiplied by one and one-half. Ninilchik shall then nominate and identify acreage equal to one-half of this latter figure. CIRI shall then nominate and identify the other one-half.

Ninilchik shall select from this entire pool the acreage to which it is entitled in order to receive the full 688 ± acres which CIRI is obligated to provide. This pooling process and the identification and selection of lands shall be completed within 180 days of the signing of this Agreement.

II. KNIKATNU, INC.

Knikatnu has selected 15,336 ± acres in the Lake Clark area. Its "trade-out" acreage entitlement is therefore 7,683 ± acres. The State of Alaska shall provide one-half of this trade-out acreage (3,841.5 acres), and Cook Inlet Region, Inc. shall provide the other one-half (3,841.5 acres).

A. The State of Alaska shall provide the 3,841.5 ± acres as follows:

- (1) The lands to be identified shall be within what is commonly known as Knikatnu's 11(a)(1) withdrawal, unless otherwise mutually agreed upon between Knikatnu and the State.
- (2) Knikatnu and the State shall make good faith efforts to mutually identify the 3,841.5 acres which the State is obligated to provide Knikatnu. Said mutual identification shall take place within ninety (90) days of the date of this Agreement.
- (3) To the extent that Knikatnu and the State are unable to mutually identify 3,841.5 acres, the difference between 3,841.5 acres and the number of acres which the parties have mutually identified shall be multiplied by one and one-half. Knikatnu shall then nominate and identify acreage equal to one-half of this latter figure. The State shall nominate and identify the other one-half. Knikatnu shall select from this entire pool of lands the acreage to which it is entitled in order to receive the full 3,841.5 acres which the State is obligated to provide

Knikatnu. This pooling process and the identification and selection of lands shall be completed within 180 days of the signing of this Agreement.

B. Cook Inlet Region, Inc. shall provide the 3,841.5 acres which it is obligated to provide Knikatnu as follows:

- (1) The lands to be identified shall be within what is commonly known as Knikatnu's 11(a)(1) withdrawal, unless otherwise mutually agreed upon between Knikatnu and CIRI.
- (2) Knikatnu and CIRI shall make good faith efforts to mutually identify the 3,841.5 acres which CIRI is obligated to provide Knikatnu. Said mutual identification shall take place within ninety (90) days of the date of this Agreement.
- (3) To the extent that Knikatnu and CIRI are unable to mutually identify 3,841.5 acres, the difference between 3,841.5 acres, and the number of acres that the parties have mutually identified shall be multiplied by one and one-half. Knikatnu shall then nominate and identify acreage equal to one-half of this latter figure. CIRI shall then nominate and identify the other one-half. Knikatnu shall select from this entire pool the acreage to which it is entitled in order to receive the full 3,841.5 \pm acres which CIRI is obligated to provide. This pooling process and the identification and selection of lands shall be completed within 180 days of the date of this Agreement.

III. SALAMATOFF NATIVE ASSOCIATION, INC.

This Agreement between Cook Inlet Region, Inc. and Salamatoff is contingent upon Salamatoff retaining its Village eligibility status under ANCSA. If Salamatoff fails to retain its Village eligibility status under ANCSA, this Agreement between Cook Inlet Region, Inc. and Salamatoff shall be of no force and effect.

Salamatoff has selected 21,916 \pm acres in the Lake Clark area. Its "trade-out" acreage entitlement is therefore 11,855.5 \pm acres. The State of Alaska shall provide one-half of this trade-out acreage (5,942.75 acres), and Cook Inlet Region, Inc. shall provide the other one-half (5,942.75 acres).

A. The State of Alaska shall provide the 5,942.75 \pm acres as follows:

- (1) The lands to be identified shall be within what is commonly known as Salamatoff's 11(a)(1) withdrawal, unless otherwise mutually agreed upon between Salamatoff and the State.
- (2) Salamatoff and the State shall make good faith efforts to mutually identify the 5,942.75 acres which the State is obligated to provide Salamatoff. Said mutual identification shall take place within ninety (90) days of the date of this Agreement.
- (3) To the extent that Salamatoff and the State are unable to mutually identify 5,942.75 acres, the difference between 5,942.75 acres and the number of acres which the parties have mutually identified shall be multiplied by one and one-half. Salamatoff shall then nominate and identify acreage equal to one-half of this latter figure. The State shall nominate and identify the other one-half. Salamatoff shall select from this entire pool of lands the acreage to which it is entitled in order to receive the full 5,942.75 acres which the State is obligated to provide. This pooling process and the identification and selection of lands shall be completed within 180 days of the date of this Agreement.

B. Cook Inlet Region, Inc. shall provide the 5,942.75 acres which it is obligated to provide Salamatoff as follows:

- (1) The lands to be identified shall be within what is commonly known as Salamatoff's 11(a)(1) withdrawal, unless otherwise mutually agreed upon between Salamatoff and CIRI.

(2) Salamatoff and CIRI shall make good faith efforts to mutually identify the 5,942.75 acres which CIRI is obligated to provide Salamatoff. Said mutual identification shall take place within ninety (90) days of the date of this Agreement.

(3) To the extent that Salamatoff and CIRI are unable to mutually identify 5,942.75 acres, the difference between 5,942.75 acres, and the number of acres that the parties have mutually identified shall be multiplied by one and one-half. Salamatoff shall then nominate and identify acreage equal to one-half of this latter figure. CIRI shall then nominate and identify the other one-half. Salamatoff shall select from this entire pool the acreage to which it is entitled in order to receive the full 5,942.75 \pm acres which CIRI is obligated to provide. This pooling process and the identification and selection of lands shall be completed within 180 days of the date of this Agreement.

IV. ALEXANDER CREEK NATIVE ASSOCIATION, INC.

This Agreement between Cook Inlet Region, Inc. and Alexander Creek is contingent upon Alexander Creek retaining its Village eligibility status under ANCSA. If Alexander Creek fails to retain its Village eligibility status under ANCSA, this Agreement between Cook Inlet Region, Inc., and Alexander Creek shall be of no force and effect.

Alexander Creek has selected 18,224 \pm acres in the Lake Clark area. Its "trade-out" acreage entitlement is therefore 9,112 \pm acres. The State of Alaska shall provide one-half of the trade-out acreage (4,556 acres), and Cook Inlet Region, Inc. shall provide the other one-half (4,556 acres).

A. The State of Alaska shall provide the 4,556 \pm acres as follows:

(1) The lands to be identified shall be within what is commonly known as Alexander Creek's 11(a)(1) withdrawal, unless otherwise mutually agreed upon between Alexander Creek and the State.

(2) Alexander Creek and the State shall make good faith efforts to mutually identify the 4,556 acres which the State is obligated to provide Alexander Creek. Said mutual identification shall take place within ninety (90) days of the date of this Agreement.

(3) To the extent that Alexander Creek and the State are unable to mutually identify 4,556 acres, the difference between 4,556 acres and the number of acres which the parties have mutually identified shall be multiplied by one and one-half. Alexander Creek shall then nominate and identify acreage equal to one-half of this latter figure. The State shall nominate and identify the other one-half. Alexander Creek shall select from this entire pool of lands the acreage to which it is entitled in order to receive the full 4,556 acres which the State is obligated to provide. This pooling process and the identification and selection of lands shall be completed within 180 days of the date of this Agreement.

B. Cook Inlet Region, Inc. shall provide the 4,556 ± acres which it is obligated to provide Alexander Creek as follows:

(1) The lands to be identified shall be within what is commonly known as Alexander Creek's 11(a)(1) withdrawal, or the Beluga area, unless otherwise mutually agreed upon between Alexander Creek and CIRI.

(2) Alexander Creek and CIRI shall make good faith efforts to mutually identify the 4,556 acres which CIRI is obligated to provide Alexander Creek. Said mutual identification shall take place within ninety (90) days of the date of this Agreement.

(3) To the extent that Alexander Creek and CIRI are unable to mutually identify 4,556 acres, the difference between 4,556 acres, and the number of acres which the parties have mutually identified shall be multiplied by

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In the event that the Bureau of Land Management finally determines that Chickaloon has validly selected in the Lake Clark area, and the State of Alaska loses the Mental Health case, Cook Inlet Region, Inc. shall be reimbursed by Chickaloon in the amount of 2,500 acres from the following lands of which Cook Inlet Region, Inc. shall select in descending order of priority until it has reached the acreage to which it is entitled from Chickaloon:

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTION</u>	<u>LEGAL</u>	<u>ACRES</u>
19 N	3 E	29	W/2 NW/4	80.00
19 N	3 E	13	N/2 NW/4	80.00
20 N	5 E	30	E/2 SE/4, SE/4 SW/4, SW/4 SE/4	160.00
21 N	6 E	32		640.00
21 N	6 E	33		640.00
20 N	4 E	24		640.00
20 N	4 E	23		640.00
21 N	6 E	28		640.00
21 N	6 E	29		640.00
19 N	4 E	4		640.00
19 N	4 E	5		640.00
19 N	4 E	6		640.00

Chickaloon shall select the above lands and shall not in any way encumber them without the consent of CIRI until it is finally determined whether or not Cook Inlet Region, Inc. is entitled to them.

VII. This Agreement is entered into for the purpose of effectuating the Agreement reached between Cook Inlet Region, Inc., the United States and the State of Alaska as contained in the document entitled "Terms and Conditions for Land Consolidation and Management in Cook Inlet Area," and as contained in Public Law 94-204 of January 2, 1976.

VIII. This Agreement between Cook Inlet Region, Inc. and the below signed Native Villages is conditional upon the Villages receiving patent of the lands to which they are entitled under this Agreement. It is understood by the parties hereto, that the said Native Villages' relinquishment of their interests in lands in the Lake Clark area shall not take effect until said Villages have received patent to the lands to which they are entitled under this Agreement.

IX. This Agreement between Cook Inlet Region, Inc. and the respective Villages is predicated upon the Villages exercising their "Method A" selection procedure. The exercise of the "Method A" selection procedure is dependent on Alexander Creek Native Association and Salamatoff Native Association retaining their Village eligibility status under ANCSA. In the event that either or both of said Villages fail to retain their Village eligibility status, it is understood and agreed by the parties hereto that the Villages shall then select under the next appropriate selection "Method", and the acreage which the State of Alaska and Cook Inlet Region, Inc. are obligated to provide the respective Villages under this Agreement shall be adjusted accordingly.

X. All conveyances of lands made under this Agreement shall pass all of the State's right, title and interest in the lands, including the minerals therein, but excluding any encumbrances, as if those conveyances were made pursuant to section 22(f) of the Alaska Native Claims Settlement Act, except that dedicated or platted section line easements and highway or other right-of-way may be reserved to the State.

XI. Immediately after Cook Inlet Region, Inc. receives the lands from the United States to which the Villages are entitled, under this Agreement it shall convey said lands to the respective Villages.

XII. The subsurface estate in all lands conveyed to the Villages under this Agreement shall be retained by Cook Inlet Region, Inc.

XIII. All conveyances under this Agreement shall be considered and treated as conveyances under the Alaska Native Claims Settlement Act of December 18, 1971, 85 Stat. 688, 43 U.S.C. 1601 et seq., and the amendments thereto as contained in Public Law 94-204 of January 2, 1976.

XIV. If any provisions of this Agreement or the applicability thereof is held invalid the remainder of this Agreement shall not be affected thereby.

XV. Attached to this Agreement are copies of the legal descriptions of the lands which some of the Villages and the State of Alaska and Cook Inlet Region, Inc. have mutually agreed shall be conveyed to the respective Villages. Those legal descriptions of lands which the Villages have not yet received under this Agreement will be attached hereto when the lands are identified for conveyance to the Villages in accordance with this Agreement. From the date of the signing of this Agreement, the State shall not enter into any leases or sales or approve any Borough selection applications in the lands described in the attached appendices or in the Sec. 11(a)(1) withdrawals of Villages which have not identified lands to which they are entitled under this Agreement.

XVI. Attached to this Agreement is a copy of the corporate resolution giving each of the undersigned Village representatives authority to sign this Agreement.

COOK INLET REGION, INC.

Walter H. Anderson
PRESIDENT

NINILCHIK NATIVE ASSOCIATION, INC.

Edward Vackovsky by James Vollentine
CHAIRMAN

Richard S. Encelowski
GENERAL MANAGER

KNIKATNU, INC.

Shirley Ann Keff
GENERAL MANAGER

ALEXANDER CREEK NATIVE ASSOCIATION, INC.

Shirley Ann Keff
GENERAL MANAGER

SALAMATOFF NATIVE ASSOCIATION, INC.

James O. Segura
PRESIDENT

TYONEK NATIVE CORPORATION

B. Lynes Brown
PRESIDENT

CHICKALQON NATIVE ASSOCIATION, INC.

Ala L. Laine
PRESIDENT

State of Alaska)
) ss.
Third Judicial District)

THIS IS TO CERTIFY that on this 2 day of February, 1976, before me, the undersigned, a Notary Public in and for Alaska, personally appeared Roy M. Huhndorf to me known and known to me to be the President, of Cook Inlet Region, Inc., and he acknowledged to me that he had in his official capacity aforesaid executed the foregoing instrument as the free act and deed of the said corporation for the uses and purposes therein stated.

WITNESS my hand and notarial seal on the day and year in this certificate first above written.

James Collman
Notary Public in and for Alaska
My commission expires: 9-26-78

State of Alaska)
) ss.
Third Judicial District)

THIS IS TO CERTIFY that on this 3rd day of February 1976, before me, the undersigned, a Notary Public in and for Alaska, personally appeared Richard L. P. Peltier to me known and known to me to be the General Manager of Ninilchik Native Association, Inc., and he acknowledged to me that he had in his official capacity aforesaid executed the foregoing instrument as the free act and deed of the said corporation for the uses and purposes therein stated.

WITNESS my hand and notarial seal on the day and year in this certificate first above written.

Beth M. M. M.
Notary Public in and for Alaska
My commission expires: 2/24/79

State of Alaska)
) ss.
Third Judicial District)

THIS IS TO CERTIFY that on this 3rd day of February 1976, before me, the undersigned, a Notary Public in and for Alaska, personally appeared Ordy Kambach to me known and known to me to be the General Manager of Knikatu, Inc., and he acknowledged to me that he had in his official capacity aforesaid executed the foregoing instrument as the free act and deed of the said corporation for the uses and purposes therein stated.

WITNESS my hand and notarial seal on the day and year in this certificate first above written.

Beth M. M. M.
Notary Public in and for Alaska
My commission expires: 2/24/79

State of Alaska)
) ss.
Third Judicial District)

THIS IS TO CERTIFY that on this 2 day of February 1976, before me, the undersigned, a Notary Public in and for Alaska, personally appeared Alan L. Larson to me known and known to me to be the President of Chickaloon Native Association, Inc., and he acknowledged to me that he had in his official capacity aforesaid executed the foregoing instrument as the free act and deed of the said corporation for the uses and purposes therein stated.

WITNESS my hand and notarial seal on the day and year in this certificate first above written.

James Vallentine
Notary Public in and for Alaska
My commission expires: 9-26-78

State of Alaska)
) ss.
Third Judicial District)

THIS IS TO CERTIFY that on this 3rd day of February 1976, before me, the undersigned, a Notary Public in and for Alaska, personally appeared Andy Kumball to me known and known to me to be the General Manager of Alexander Creek Native Association, Inc., and he acknowledged to me that he had in his official capacity aforesaid executed the foregoing instrument as the free act and deed of the said corporation for the uses and purposes therein stated.

WITNESS my hand and notarial seal on the day and year in this certificate first above written.

Beth M. Wachtel
Notary Public in and for Alaska
My commission expires: 2/24/79

State of Alaska)
) ss.
Third Judicial District)

THIS IS TO CERTIFY that on this 2nd day of February 1976, before me, the undersigned, a Notary Public in and for Alaska, personally appeared James V. Sigua to me known and known to me to be the President of Salamatoff Native Association, Inc., and he acknowledged to me that he had in his official capacity aforesaid executed the foregoing instrument as the free act and deed of the said corporation for the uses and purposes therein stated.

WITNESS my hand and notarial seal on the day and year in this certificate first above written.

Beth M. Wachtel
Notary Public in and for Alaska
My commission expires: 2/24/79

State of Alaska)
) ss.
Third Judicial District)

THIS IS TO CERTIFY that on this 3rd day of February 1976, before me, the undersigned, a Notary Public in and for Alaska, personally appeared B. Warren Brown to me known and known to me to be the President of Tyonek Native Corporation, and he acknowledged to me that he had in his official capacity aforesaid executed the foregoing instrument as the free act and deed of the said corporation for the uses and purposes therein stated.

WITNESS my hand and notarial seal on the day and year in this certificate first above written.

Beth M. Wachtel
Notary Public in and for Alaska
My commission expires: 2/24/79

Ninilchik Native Association, Inc.

Box 173

Ninilchik, Alaska 99639

567-8731

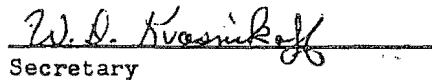
R76-9

RESOLUTION

BE IT RESOLVED THAT Richard Greg Encelewski and Edward Jackinsky is hereby given full power and authority to sign on behalf of the Ninilchik Native Association, Inc. the Lake Clark Land Trade Agreement between Cook Inlet Region, Inc. and the Ninilchik Native Association, Inc.

Dated this 2 day of Feb, 1976


President


Secretary

President Garrison Orskoff Vice President Earl Demidoff Honorary Chief Larry H. Orskoff

General Manager - Greg Encelewski

Landmark Treasurer Marion Kaskela

RESOLUTION -76-1

BE IT RESOLVED that James O. Segura
is hereby given full power and authority to sign on behalf
of the Salamatof Native Association, Inc. the Lake
Clark Land Trade Agreement between Cook Inlet Region, Inc.
and the Salamatof Native Association, Inc.

DATED this 29 day of JANUARY, 1976

James O. Segura
President

Margaret L. Gordon
Secretary

TYONEK NATIVE CORPORATION

445 East 5th Avenue, Suite 9
Anchorage, Alaska 99501
Telephone 907-279-4213

January 29, 1976

RESOLUTION

BE IT RESOLVED that B. Agnes Brown is hereby given full power and authority to sign the Lake Clark Land Trade Agreement between Cook Inlet Region, Inc. and the Tyonek Native Corporation on behalf of the Tyonek Native Corporation.

DATED this 29th day of January, 1976

B. Agnes Brown
President

Robert Constantine
Secretary

Resolution No. _____

Be it resolved that on this 3rd day of December 1975. The Knikatu board of directors has approved Mr. Andy F. Smith to sign legal documents binding the corporation to a land trade between; Cook Inlet Region Inc., The State of Alaska, The United States Department of Interior, and the village of Knik.

Where as Knikatu Inc. would agree to withdraw land applications in the Lake Clark area, and

Where as the State of Alaska and Cook Inlet Region Inc. agree to make certain state held lands available to Knikatu Inc., and

Where as this land trade shall be specified in a separate contract agreement between Cook Inlet Region Inc., State of Alaska Division of Lands, The United States Department of Interior and Knikatu Inc.

Paul B. Schodde V.P.
Secretary

B. G. Thompson
President

RESOLUTION

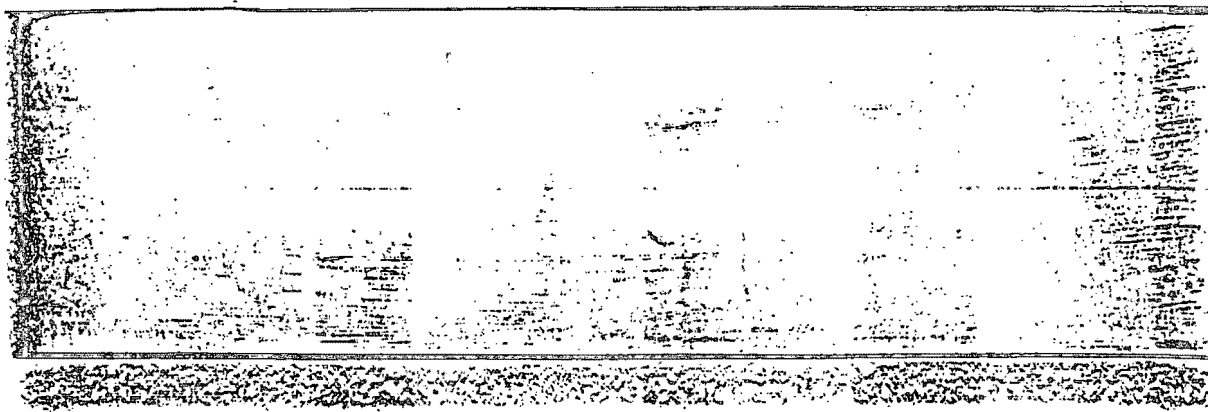
BE IT RESOLVED that Andy Kamkoff
is hereby given full power and authority to sign on behalf
of the Alexander Creek Native Association, Inc. the Lake
Clark Land Trade Agreement between Cook Inlet Region, Inc. and
the Alexander Creek Native Association, Inc.

DATED this 18 day of January, 1976

Carl E. Hill
President

Thomas P. Hill
Secretary

Erica B. Hill
Tom S. Hill



RESOLUTION

BE IT RESOLVED that Alan L. Larson
is hereby given full power and authority to sign on behalf
of the Chickaloon Native Association, Inc. the Lake Clark
Land Trade Agreement between Cook Inlet Region, Inc. and
the Chickaloon Native Association, Inc.

DATED this 31 day of January, 1976

Alan L. Larson
President

Leah L. Larson
Secretary
V.P.

The State of Alaska, by and through Michael C.T. Smith, Director of the Division of Lands, Agrees to convey the following described lands to the United States for eventual conveyance to Ninilchik Native Association, Inc. in accordance with the Lake Clark Land Trade Agreement reached between Cook Inlet Region, Inc. and Ninilchik Native Association, Inc. The lands to be conveyed to Ninilchik Native Association, Inc. are described in priority order as follows:

PRIORITY	TOWNSHIP	RANGE	SECTION	LEGAL	ACRES
1	1 N	13 W SM	13	W/2 NE/4, SE/4 NW/4, TR.C	160.49
1	2 N	12 W SM	29	LOT-4	32.61
1	1 S	14 W SM	12	LOT-1	33.24
1	1 S	13 W SM	07	LOT-3	30.77
1	4 S	15 W SM	22	LOT-3	33.50
1	1 N	13 W SM	27	LOTS, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18	50.23
1	3 S	14 W SM	19	E/2 SW/4, W/2 SE/4	160.00
1	1 S	14 W SM	35	E/2 NE/4	80.00
1	1 S	14 W SM	25	SW/4, NW/4 NW/4	200.00
2	1 S	13 W SM	30	SE/4	160.00
2	1 S	13 W SM	20	E/2 SW/4	80.00
2	1 S	13 W SM	15	NE/4, E/2 NW/4, E/2 W/2 NW/4, N/2 SE/4	360.00
2	1 S	13 W SM	29	SW/4, NW/4 SE/4, W/2 NE/4, S/2 NW/4, NE/4 NW/4,	400.00
2	1 S	13 W SM	02	LOT 1, 2, S/2 NE/4, W/2 SE/4, NE/4 NE/4 SE/4, W/2 SE/4 SE/4, W/2 NE/4 SE/4	289.89
2	1 S	13 W SM	11	NE/4 NW/4, N/2 SW/4, N/2 SE/4	200.00
2	1 S	13 W SM	12	W/2 E/2, SW/4, E/2 NW/4, S/2 NW/4 NW/4, SW/4 NW/4, NE/4 NW/4 NW/4	470.00
2	2 S	14 W SM	13	E/2, E/2 W/2	480.00
2	1 N	13 W SM	35	N/2 SE/4	80
3	1 S	13 W SM	33	ALL	640.00
3	1 S	13 W SM	34	W/2 NE/4, NW/4, NW/4 SW/4	280.00
3	1 S	13 W SM	32	S/2 NE/4, NE/4 NE/4, SE/4, E/2 SW/4	360.00
3	1 S	13 W SM	01	LOT 4 SE/4 NE/4, SE/4, SE/4 SW/4	279.93
3	2 S	14 W SM	01	N/2 SE/4	80.00
3	1 N	12 W SM	32	E/2 NE/4, E/2 SE/4, SW/4 NE/4, NW/4 SE/4	240.00
3	1 N	12 W SM	31	E/2 W/2, LOTS 1, 2, 3, & 4	319.16
3	1 N	12 W SM	10	S/2 SE/4	80.00
3	1 N	12 W SM	11	SW/4	160.00
3	1 N	12 W SM	15	E/2	320.00

Michael C.T. Smith
Michael C.T. Smith
Director of Division of Lands

State of Alaska)
) ss.
Third Judicial District)

THIS IS TO CERTIFY that on this 2nd day of February, 1976, before me, the undersigned, a Notary Public in and for Alaska, personally appeared Michael C.T. Smith, to me known and known to me to be the Director of the Division of Lands of the State of Alaska, and he acknowledged to me that he had in his official capacity aforesaid executed the foregoing instrument as the free act and deed of the State of Alaska for the uses and purposes therein stated.

WITNESS my hand and notarial seal on the day and year in this certificate-first above written

Charles Johnson Cowley
Notary Public in and for Alaska
My commission expires: 10/15/77

The State of Alaska, by and through Michael C.T. Smith, Director of the Division of Lands, Agrees to convey the following described lands to the United States for immediate conveyance to Knikatu, Inc. in accordance with the Lake Clark Land Trade Agreement reached between Cook Inlet Region, Inc. and Knikatu, Inc. The lands to be conveyed to Knikatu, Inc. are described as follows:

TOWNSHIP	RANGE	SECTION	LEGAL	ACRES
16 N	3 W	23	E/2 NW/4, NE/4 SW/4, NW/4 SE/4, (Has 25' R/W Permit # 63389)	160.0
16 N	4 W	11	W/2 NE/4 SW/4, NW/4 SE/4 SW/4, NE/4 NE/4 SW/4,	40.0
16 N	4 W	15	W/2 NE/4 (80' Letter Permit # 57236)	80.0
16 N	4 W	25	NE/4, N/2 SE/4, S/2 SW/4, NW/4 SW/4, N/2 NE/4 SW/4, W/2 SW/4 NE/4 SW/4, SE/4 NE/4 SW/4	395.0
17 N	3 W	6	Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, SE/4 NW/4, SW/4 NE/4, E/2 SW/4, W/2 SE/4	592.94
17 N	3 W	7	Lots 1, 2, 3, & 4, E/2, E/2 W/2	632.20
17 N	3 W	23	SE/4 (30' R/W Permit # 56178)	160.0
17 N	3 W	24	W/2, NE/4,	480.0
17 N	3 W	31	Lot 16 (33' R/W Permit # 54294)	5.0
17 N	4 W	12	Lots 1, 2, 5, 6, 7, 8, 9, 10, 11, 13	76.71
			NE/4 NW/4, SE/4 NW/4 NW/4, N/2 NW/4 NW/4, N/2 NE/4, N/2 SE/4 NE/4, SE/4 SE/4 NE/4	180.0
			USS 3518, Lots 1, 6, 7, 8, 9, 10	19.53
17 N	4 W	33	Lots 7, 10, 11, 12, 21, 22, 23, 24, 26, 27, 29, 30, 31, 32, 33, 34, 35, 36, 37, 39, and, NW/4 NE/4, SE/4 NE/4, S/2 SE/4, S/2 N/2 SE/4, N/2 NE/4 SE/4, NE/4 NW/4 SE/4, S/2 SW/4, S/2 NE/4 SW/4, NW/4 SW/4, W/2 SW/4 NW/4	390.0
18 N	3 W	31	Lots 3, 4, SE/4, E/2 SW/4	313.40
18 N	3 W	32	W/2, SE/4, S/2 NE/4	580.0
18 N	3 W	33	W/2, W/2 NE/4, SE/4	580.0
18 N	3 W	34	W/2 SW/4,	80.0
TOTAL ACRES SELECTED				4,861.71

Michael C.T. Smith
Michael C.T. Smith
Director of Division of Lands

State of Alaska)
Third Judicial District) ss.

THIS IS TO CERTIFY that on this 31 day of Feb, 1976, before me, the undersigned, a Notary Public in and for Alaska, personally appeared Michael C.T. Smith, to me known and known to me to be the Director of the Division of Lands of the State of Alaska, and he acknowledged to me that he had in his official capacity aforesaid executed the foregoing instrument as the free act and deed of the State of Alaska for the uses and purposes therein stated.

WITNESS my hand and notarial seal on the day and year in this certificate first above written.

Paula Johnson Cooley
Notary Public in and for Alaska

My commission expires: 10/15/77

The State of Alaska, by and through Michael C.T. Smith, Director of the Division of Lands, Agrees to convey the following described lands to the United States for immediate conveyance to Alexander Creek Native Association, Inc. in accordance with the Lake Clark Land Trade Agreement reached between Cook Inlet Region, Inc. and Alexander Creek Native Association, Inc. It is understood that six (6) sections [±] of said lands are owned by the Mat-Su Borough and that its consent to making said sections available for conveyance to Alexander Creek is a condition precedent to the State's obligation to convey said lands to Alexander Creek. The lands to be conveyed to Alexander Creek Native Association, Inc. are described as follows:

TOWNSHIP	RANGE	SECTION	LEGAL	ACRES [±]
16 N	8 W	25	ALL	640.00
16 N	7 W	19	All available excluding Alexander Creek	549.00
16 N	7 W	21	All available excluding Susitna River	500.00
16 N	7 W	29	All lands excluding the Susitna River	620.00
16 N	7 W	30	All available lands excluding Alexander Creek and ASLS 74-32	499.08
16 N	7 W	31	All available lands excluding Alexander Creek	523.69
16 N	7 W	17	E/2 excluding Susitna River	290.00
16 N	7 W	16	All available lands excluding Susitna River	170.00
16 N	7 W	32	All available lands West of the right (west) bank of the Susitna River excluding Alexander Creek	195.00
15 N	7 W	6	All available lands excluding Alexander Creek and the Susitna River	399.00
15 N	7 W	5	All available lands in the W/2 excluding Alexander Creek and the Susitna River	220.00
TOTAL ACRES				4,605.77

Michael C.T. Smith
 Michael C.T. Smith
 Director of Division of Lands

State of Alaska)
) ss.
 Third Judicial District)

THIS IS TO CERTIFY that on this 3rd day of Feb, 1976, before me, the undersigned, a Notary Public in and for Alaska, personally appeared Michael C.T. Smith, to me known and known to me to be the Director of the Division of Lands of the State of Alaska, and he acknowledged to me that he had in his official capacity aforesaid executed the foregoing instrument as the free act and deed of the State of Alaska for the uses and purposes therein stated.

WITNESS my hand and notarial seal on the day and year in this certificate first above written.

W. De Johnson
 Notary Public in and for Alaska
 My commission expires: 10/15/77

12(b) SELECTION AGREEMENT

This agreement is made and entered into on this 19th day of November, 1975 by and between the following villages in Cook Inlet Region:

Chickaloon-Moose Creek Native Association, Inc.

Knikatu, Incorporated

Alexander Creek, Inc.

Tyonek Native Corporation

Salamatoff Native Association, Inc.

Ninilchik Native Association, Inc.

Seldovia Native Association, Inc.

WITNESSETH:

- A. An identical land selection will be made by all the above listed village corporations and filed with the Bureau of Land Management, Anchorage, Alaska, by December 1, 1975. Covering all selections made under methods A, B, C, & D.
- B(1) When the eligibility of all village corporations within Cook Inlet Region has been finalized and,
 - (2) When the 12(a) deficiency entitlement has been established and furthermore
 - (3) When an updated 12(b) entitlement figure has been established by the Bureau of Land Management. Then the above village corporations agree to meet and prioritize their 12(b) land selections such that no overlapping conflicts will arise. Village Corporations will then inform the Bureau of Land Management of these priorities such that the Bureau of Land Management can proceed to adjudicate the 12(b) selection applications.

C. The 12(b) allocations shall be subject to the approval
of the Board of Directors of the Cook Inlet Region, Inc.

Chickaloon-Moose Creek Native Assn., Inc.
Chickaloon-Moose Creek Native Assn., Inc.

Knikatu, Incorporated
Knikatu, Incorporated

Alexander Creek, Inc.
Alexander Creek, Inc.

Tyonek/Native Corporation
Tyonek/Native Corporation

Salamatoff Native Association, Inc.
Salamatoff Native Association, Inc.

Niginilchik Native Association, Inc.
Niginilchik Native Association, Inc.

Seldovia Native Association, Inc.
Seldovia Native Association, Inc.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

VILLAGE SELECTION APPLICATION
Secs. 12 and 16(b), Act of December 18, 1971 (43 U.S.C. 1601)

FORM APPROVED
OMB NO. 42-R1652

Serial Number

AA-6707

INSTRUCTIONS ON REVERSE

Name of village corporation
Tyonek Native Corporation

Address (include zip code)
445 East Fifth Avenue, Suite 9
Anchorage, Alaska 99501

2. Give evidence of eligibility

Have you attached (a) certificate of incorporation, (b) evidence of approval of articles of incorporation by Regional Corporation, and (c) certification of eligibility by Bureau of Indian Affairs? ☐ Yes ☒ No

Have you previously filed this information? ☒ Yes ☐ No (If "yes," give serial number of prior application and where information is filed)

AA-6707-a

3a. Give written legal description of lands requested (attach separate sheets, if necessary)

See attached lists.

b. List U.S.G.S. quadrangle maps used to portray requested lands

See attached list.

c. Have you attached a copy of each map? ☒ Yes ☐ No

d. Have you indicated any mining claims to be excluded from this selection? ☐ Yes ☒ No

4. Indicate land use and occupancy ☐ Occupied ☒ Unoccupied

☐ Mining Claim

☐ Entryman

☒ Native Use

☐ Other (specify)

5. Indicate Entitlement (acres)

Total entitlement 2

Previously filed

This application 2,388,000

6. Give numerical preference, if selection application is filed pursuant to Sec. 2651.4(f) of the regulations

7. Authority for signature ☐ Attached ☐ Previously filed in Serial No.

I CERTIFY That the statements made herein are true, complete, and correct to the best of my knowledge and belief and are made in good faith.

L. Agnes Brown
(Signature)

President
(Title)

12-15-15
(Date)

Title 18 U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

U.S.G.S. QUADRANGEL MAPS

Talkeetna Mountains:

C-1,	C-5,	D-3,
C-2,	C-6,	D-4,
C-3,	D-1,	D-5,
C-4,	D-2,	D-6.

Seldovia:

C-2,	D-3,	D-8.
D-2,		

Lime Hills:

A-4.

Kenai:

A-7,	B-7,	C-7,
A-8,	B-8,	C-8.

Lake Clark:

A-2,	B-2,	C-4,
A-3,	B-3,	D-3,
A-4,	B-4,	D-4.
A-5,	B-5,	

Iliamna:

A-3,	B-4,	C-4,
A-4,	C-1,	D-1,
B-2,	C-2,	D-2.
B-3,	C-3,	

PRIORITY 1(a)

West Side Cook Inlet Deficiency Withdrawal

Seward Meridian, Alaska

<u>Township</u>	<u>Range</u>	<u>Section</u>
4 N.	19 W.	5-8, 17-22, 25-36
4 N.	20 W.	1-4;
5 N.	19 W.	29-33;
5 N.	20 W.	22-27, 34-36;
1 S.	20 W.	1-4, 8, 9, 12, 13, 16, 17,
		19-21, 27-35;
1 S.	21 W.	3-10, 14-19, 23-25, 36.

TOTAL ACREAGE: 51,330

PRIORITY 1(b)

West Side Cook Inlet

Deficiency Withdrawal

Seward Meridian, Alaska

<u>Township</u>	<u>Range</u>	<u>Section</u>
1 N.	20 W.	6-10, 15, 16, 22-26, 35, 36;
2 N.	18 W.	3-8;
2 N.	19 W.	1-23, 26-34;
2 N.	20 W.	1-3, 10-30, 32-36;
2 N.	21 W.	2, 3, 9-11, 13-16, 20-28, 33-36;
3 N.	17 W.	5-7;
3 N.	18 W.	1-12, 14-22, 27-34;
3 N.	19 W.	1-36;
3 N.	20 W.	1-15, 22-27, 34-36
4 N.	18 W.	4, 5, 7-9, 16-21, 28-33;
4 N.	19 W.	1, 12;
4 N.	20 W.	25, 30-33, 35, 36;
4 N.	21 W.	14, 15, 23-25;
1 S.	19 W.	7, 8, 17, 18, 20, 29, 32;
2 S.	19 W.	5-7, 18;
2 S.	20 W.	1-4, 6, 9-16, 21-24, 26-28, 31-35;
2 S.	21 W.	31, 32, 36;
3 S.	20 W.	3-6, 7-10, 15-21, 30;
3 S.	21 W.	5, 6, 8, 9, 12-16, 19-36;
3 S.	23 W.	4-8, 13, 16-18, 20, 21, 24-29, 31-36;
4 S.	22 W.	13-17, 19-21, 24, 25, 29-32, 36;
4 S.	23 W.	1-4, 7-9, 14-21, 23-26, 29-31, 34-36;
4 S.	24 W.	12-14, 23, 24, 30-32;
5 S.	22 W.	3, 7, 9, 10, 15-17, 20, 21, 28, 29, 32, 33;
5 S.	23 W.	1-5, 8-15, 17, 19-23, 26, 27, 30, 35;
5 S.	24 W.	2, 6, 7, 8, 10, 11, 13-17, 21, 22, 25-28, 33-35;
5 S.	25 W.	1, 2, 10-15, 23-25, 36;
5 S.	26 W.	26, 27, 29, 30, 32-35;
6 S.	22 W.	5, 6;
6 S.	23 W.	1, 2, 9, 11, 14-16, 19-22, 29, 30, 12;
6 S.	24 W.	1-5, 8-14, 17-21, 23, 26-28, 34;
6 S.	25 W.	1, 6, 7, 12, 13, 18-23, 27-29, 31, 32;
6 S.	26 W.	1, 2, 12, 13, 20-29, 35, 36;
7 S.	25 W.	4-8, 17-20;
7 S.	26 W.	12, 13, 20-24;
7 S.	28 W.	1-7, 10, 11, 14, 15, 21, 22, 28, 29, 31-33;
7 S.	29 W.	1, 11, 12, 14-16, 19-23, 30;
8 S.	28 W.	5-8, 18;
8 S.	29 W.	1, 3-20;
9 S.	27 W.	6, 7;
9 S.	28 W.	1, 9-17, 19-23, 26-35;
9 S.	29 W.	21-28, 34-36.

TOTAL ACREAGE: 307,130

PRIORITY 1(b)

Lake Clark Deficiency Withdrawal

Seward Meridian, Alaska

<u>Township</u>	<u>Range</u>	<u>Sections</u>
3 N.	28 W.	5-8, 13, 14, 17, 18, 20-32;
3 N.	29 W.	1, 25-27, 33-36;
2 N.	26 W.	6, 7, 17-30;
2 N.	27 W.	1-8, 10-14;
2 N.	28 W.	1, 5, 6, 11-15, 19-23, 26-35;
2 N.	29 W.	1-5, 7-12, 15-21, 24, 25, 29-31, 35, 36;
2 N.	30 W.	2, 3, 11-14, 23-27, 33-36;
1 N.	26 W.	31;
1 N.	27 W.	6-8, 16-18, 20-23, 25, 26, 36;
1 N.	28 W.	1-12, 16-18;
1 N.	29 W.	1-5, 8-23, 29, 30;
1 S.	27 W.	31, 32;
1 S.	28 W.	19, 29-36;
1 S.	29 W.	25-27, 33-36.

TOTAL ACREAGE: 87,149

PRIORITY 1(b)

Talkeetna Deficiency Withdrawal

Seward Meridian, Alaska

<u>Township</u>	<u>Range</u>	<u>Section</u>
29 N.	1 E.	25, 36;
29 N.	2 E.	1-3, 10, 11, 15, 16, 20, 21, 29, 30;
30 N.	2 E.	23-26, 34-36;
30 N.	3 E.	1-3, 9-12, 15-17, 19-21, 29-31;
31 N.	1 W.	1-9;
31 N.	1 E.	1-6;
31 N.	2 E.	1-6, 11-13, 24;
31 N.	3 E.	7, 13-27, 34-36;
31 N.	4 E.	1-3, 9, 10, 15-21, 30, 31;
31 N.	5 E.	1-6, 8-17, 22, 23;
32 N.	1 W.	4-36;
32 N.	1 E.	3, 4, 7-9, 18, 19, 30-36;
32 N.	2 E.	22, 26-28, 31-36;
32 N.	4 E.	25, 34-36;
32 N.	5 E.	23, 25-36;
32 N.	6 E.	25-36;
32 N.	7 E.	30, 31;
33 N.	1 E.	25, 26, 34, 35;
33 N.	2 E.	17, 19, 20, 30.

TOTAL ACREAGE: 115,693

PRIORITY 2

Talkeetna Mountains Deficiency Withdrawal

Seward Meridian, Alaska

<u>Township</u>	<u>Range</u>	<u>Section</u>
29 N.	2 W.	2, 10, 11, 14-21, 29-31;
29 N.	1 E.	24, 26, 35;
29 N.	2 E.	4, 8, 9, 12, 14, 17-19, 22, 23, 27, 28, 31, 32; 5-8;
29 N.	3 E.	1, 12-14, 22, 27;
30 N.	2 E.	4-8, 13, 14, 18, 22, 28, 32;
30 N.	3 E.	5-7;
30 N.	4 E.	10-12;
31 N.	1 W.	7-12;
31 N.	1 E.	7-10, 14, 23, 25, 26, 36;
31 N.	2 E.	6, 28-33;
31 N.	3 E.	4, 5, 8, 11-14, 22-24, 26-29, 32-34;
31 N.	4 E.	7, 18-21, 24;
31 N.	5 E.	4-8, 18;
31 N.	6 E.	1-4, 11-13;
31 N.	7 E.	4-10, 15-18;
31 N.	8 E.	1-3;
32 N.	1 W.	1, 2, 5, 6, 10, 16, 17, 20, 21, 24-29;
32 N.	1 E.	14, 15, 19-21, 23, 25, 29, 30;
32 N.	2 E.	26, 32, 33;
32 N.	4 E.	24;
32 N.	5 E.	21-24;
32 N.	6 E.	19-21, 28, 29, 32-36;
32 N.	7 E.	26, 27, 33-35;
33 N.	1 W.	33, 36.
33 N.	1 E.	

TOTAL ACREAGE: 115,596

PRIORITY 2

Lake Clark Deficiency Withdrawal

Seward Meridian, Alaska

<u>Township</u>	<u>Range</u>	<u>Section</u>
1 S.	26 W.	6;
1 S.	27 W.	1, 33;
1 S.	28 W.	25, 28;
1 S.	29 W.	22-23, 32;
1 N.	26 W.	32;
1 N.	27 W.	27, 28;
1 N.	28 W.	13, 15, 19;
1 N.	29 W.	24;
2 N.	26 W.	29;
2 N.	27 W.	9, 24;
2 N.	28 W.	25, 36;
2 N.	30 W.	15, 21, 22, 28, 29, 31, 32;
3 N.	28 W.	9, 12, 15, 16, 19;
3 N.	29 W.	2, 12, 22.

TOTAL ACREAGE: 22,772

PRIORITY 2

West Side Cook Inlet Deficiency Withdrawal

Seward Meridian, Alaska

<u>Township</u>	<u>Range</u>	<u>Section</u>
4 N.	19 W.	13, 23, 24;
4 N.	20 W.	28, 34;
4 N.	21 W.	13;
3 N.	20 W.	16, 21;
2 N.	21 W.	4, 12, 19, 30;
1 N.	20 W.	17, 21, 27, 28, 34;
1 S.	21 W.	26, 35;
2 S.	20 W.	29;
2 S.	21 W.	30;
3 S.	21 W.	11, 17;
4 S.	22 W.	22, 23, 26-28, 33-35;
4 S.	23 W.	5, 22, 27, 28, 32, 33;
4 S.	24 W.	7, 18, 19, 22, 25, 36;
5 S.	22 W.	4-6, 8, 18, 19, 30, 31;
5 S.	23 W.	6, 7, 18, 24, 25, 28, 29, 31-34;
5 S.	24 W.	1, 3, 12, 23, 34;
5 S.	26 W.	28, 31;
6 S.	23 W.	3-8, 10, 17, 18;
6 S.	24 W.	15, 16, 22;
6 S.	25 W.	14, 17;
7 S.	26 W.	9, 16, 19, 29-31;
7 S.	27 W.	23-27, 36;
7 S.	28 W.	8, 9, 16, 17;
8 S.	26 W.	5-9, 16, 17, 20, 21, 28-32;
8 S.	27 W.	1, 33-36;
8 S.	29 W.	21-24, 29-31;
9 S.	26 W.	6;
9 S.	27 W.	1-5.

TOTAL ACREAGE: 75,836

PRIORITY 3

West Side Cook Inlet Deficiency Withdrawal

Seward Meridian, Alaska.

<u>Township</u>	<u>Range</u>	<u>Section</u>
1 N.	20 W.	18-20, 29-33;
2 N.	20 W.	4-9;
2 N.	21 W.	1, 5-8, 17, 18, 29, 31, 32, 36;
3 N.	20 W.	17-20, 28, 33;
4 N.	18 W.	6;
4 N.	19 W.	2-4, 9-11, 14-16;
4 N.	20 W.	5-24, 26, 27, 29;
4 N.	21 W.	1-3, 10-12, 22, 26, 27, 34-36;
5 N.	19 W.	1-28, 34-36;
5 N.	20 W.	1-21, 28-33;
1 S.	19 W.	19, 30, 31;
1 S.	20 W.	5-7, 10, 11, 14, 15, 18, 22-26, 36;
1 S.	21 W.	1, 2, 11-13, 20-22, 27-34;
2 S.	20 W.	5, 7, 8, 17-20, 30;
2 S.	21 W.	1-29, 33-35;
3 S.	21 W.	1-4, 7, 10, 18;
3 S.	23 W.	1-3, 9-12, 14, 15, 19, 22, 23, 30;
3 S.	24 W.	All;
3 S.	25 W.	All;
4 S.	23 W.	6;
4 S.	24 W.	1-6, 8-11, 15-17, 20, 21, 26-29, 33-35;
4 S.	25 W.	All;
5 S.	24 W.	4, 5, 9;
5 S.	25 W.	3-9, 16-22, 26-35;
5 S.	26 W.	1-25, 36;
6 S.	25 W.	2-5, 8-11, 15, 16;
6 S.	26 W.	3-11, 14-19, 30-34;
7 S.	26 W.	1-8, 10, 11, 14, 15, 17, 18;
7 S.	27 W.	1-22, 28-35;
7 S.	28 W.	12-13, 18-20, 23-27, 30, 34-36;
7 S.	29 W.	2-10, 13, 17, 18, 24-29, 31-36;
8 S.	26 W.	18, 19;
8 S.	27 W.	2-32;
8 S.	28 W.	1-4, 9-17, 19-36;
8 S.	29 W.	2, 25-28, 32-36;
9 S.	28 W.	2-8, 18;
9 S.	29 W.	1-20, 29-33;
9 S.	30 W.	1-36;
10 S.	28 W.	All;
10 S.	29 W.	All;
10 S.	30 W.	All;
11 S.	29 W.	All;
11 S.	30 W.	All.

PRIORITY 3

West Side Cook Inlet Deficiency Withdrawal

Seward Meridian, Alaska

<u>Township</u>	<u>Range</u>	<u>Section</u>
1 N.	20 W.	18-20, 29-33;
2 N.	20 W.	4-9;
2 N.	21 W.	1, 5-8, 17, 18, 29, 31, 32, 36;
3 N.	20 W.	17-20, 28,33;
4 N.	18 W.	6;
4 N.	19 W.	2-4, 9-11, 14-16;
4 N.	20 W.	5-24, 26, 27, 29;
4 N.	21 W.	1-3, 10-12, 22, 26, 27, 34-36;
5 N.	19 W.	1-28, 34-36;
5 N.	20 W.	1-21, 28-33;
1 S.	19 W.	19, 30, 31;
1 S.	20 W.	5-7, 10, 11, 14, 15, 18, 22-26, 36;
1 S.	21 W.	1, 2, 11-13, 20-22, 27-34;
2 S.	20 W.	5, 7, 8, 17-20, 30;
2 S.	21 W.	1-29, 33-35;
3 S.	21 W.	1-4, 7, 10, 18;
3 S.	23 W.	1-3, 9-12, 14, 15, 19, 22, 23, 30;
3 S.	24 W.	All;
3 S.	25 W.	All;
4 S.	23 W.	6;
4 S.	24 W.	1-6, 8-11, 15-17, 20, 21, 26-29, 33-35;
4 S.	25 W.	All;
5 S.	24 W.	4, 5, 9;
5 S.	25 W.	3-9, 16-22, 26-35;
5 S.	26 W.	1-25, 36;
6 S.	25 W.	2-5, 8-11, 15, 16;
6 S.	26 W.	3-11, 14-19, 30-34;
7 S.	26 W.	1-8, 10, 11, 14, 15, 17, 18;
7 S.	27 W.	1-22, 28-35;
7 S.	28 W.	12-13, 18-20, 23-27, 30, 34-36;
7 S.	29 W.	2-10, 13, 17, 18, 24-29, 31-36;
8 S.	26 W.	18, 19;
8 S.	27 W.	2-32;
8 S.	28 W.	1-4, 9-17, 19-36;
8 S.	29 W.	2, 25-28, 32-36;
9 S.	28 W.	2-8, 18;
9 S.	29 W.	1-20, 29-33;
9 S.	30 W.	1-36;
10 S.	28 W.	All;
10 S.	29 W.	All;
10 S.	30 W.	All;
11 S.	29 W.	All;
11 S.	30 W.	All.

PRIORITY 3

Lake Clark

Seward Meridian, Alaska

<u>Township</u>	<u>Range</u>	<u>Section</u>
1 S.	26 W.	1-5, 7-36;
1 S.	27 W.	2-30, 34-36;
1 S.	28 W.	1-18, 20-24, 26, 27;
1 S.	29 W.	1-21, 24, 28-31;
1 N.	26 W.	1-30, 33-36;
1 N.	27 W.	1-5, 9-15, 19, 24, 29-35;
1 N.	28 W.	14, 20-36;
1 N.	29 W.	25-28, 31-36;
2 N.	26 W.	1-5, 8-16, 21-28, 30-36;
2 N.	27 W.	15-23, 25-36;
2 N.	28 W.	24;
2 N.	29 W.	6;
2 N.	30 W.	1, 4-10, 16-20, 30;
3 N.	28 W.	1-4, 10, 11;
3 N.	29 W.	3-11, 13-21, 23, 24, 28-32;
3 N.	30 W.	All;
3 N.	31 W.	All;
4 N.	30 W.	All;
4 N.	31 W.	All.

PRIORITY 3

Talkeetna Mountains Deficiency Withdrawal

Seward Meridian, Alaska

<u>Township</u>	<u>Range</u>	<u>Section</u>
29 N.	1 W.	All;
29 N.	2 W.	1, 3-9, 12, 13, 22-28, 32-36;
29 N.	1 E.	1-23, 27-34;
29 N.	2 E.	5-7, 13, 24-26, 33-36;
29 N.	3 E.	1-4, 9-36;
29 N.	4 E.	All;
29 N.	11 E.	All;
30 N.	1 W., 1 E., 5-11 E.	All;
30 N.	2 E.	2-11, 15-21, 28-33;
30 N.	3 E.	23-27, 33-36
30 N.	4 E.	1-4, 8-36;
31 N.	1 W.	13-36
31 N.	1 E.	13-36;
31 N.	2 E.	15-22, 27-35;
31 N.	3 E.	1-5, 8-12;
31 N.	4 E.	6, 7, 25, 35, 36;
31 N.	5 E.	25-36;
31 N.	6 E.	1-3, 9-17, 19-36;
31 N.	7 E.	5-10, 14-36;
31 N.	8 E.	1-3, 11-14, 19-36;
31 N.	9 E., 10 E.	All;
32 N.	1 E.	11-15, 22, 23;
32 N.	2 E.	1-13, 16-18, 24;
32 N.	3 E.	All;
32 N.	4 E.	1-24, 27-31;
32 N.	5 E.	1-22;
32 N.	6 E.	1-20;
32 N.	7 E.	1-18, 22-27

(Continued)

PRIORITY 3

(Continued)

Talkcetna Mountains Deficiency Withdrawal

Seward Meridian, Alaska

<u>Fractional Township</u>	<u>Range</u>	<u>Section</u>
33 N.	1 W.	13-25, 28-32, 36;
33 N.	1 E.	13-24, 27-32;
33 N.	2 E.	16, 18, 21, 28, 29, 31-33.

PRIORITY 3

VILLAGE SELECTION

Telequana

Seward Meridian, Alaska

<u>Township</u>	<u>Range</u>	<u>Section</u>
11 N.	28 W.	1-36;
10 N.	28 W.	1-36;
10 N.	29 W.	1-36;
9 N.	29 W.	1-36.
8 N.	29 W.	1-36;

Dinglostadt Glacier

4 S.	8 W. Fractional,
4 S.	9 W. E 1/2, plus sec. 28 - 33
5 S.	7 W. Fractional
5 S.	8 W. all

APPENDIX B

ANCSA SECTION 12(a) CONVEYANCE AGREEMENT
BETWEEN COOK INLET REGION, INC., AND THE VILLAGE CORPORATIONS
OF NINILCHIK, KIKIATNU, ALEXANDER CREEK,
SALAMATOFF, TYONEK, CHICKALOON AND SELDOVIA

WHEREAS

1. There have arisen certain questions about the validity of selections of the Village Corporations in Cook Inlet Region in areas withdrawn by the Secretary under Section 11(a)(3) of ANCSA; and
2. Both the Cook Inlet Region and the Village Corporations desire a legislative resolution that shall insure that the Village Corporations receive their statutory entitlement under ANCSA; and
3. A legislative resolution has been proposed that would assure rapid conveyance to the Region and the Village Corporation of many lands within such deficiency areas; and
4. Such a resolution can be accompanied by fair administration of such lands by Cook Inlet Region and reconveyance to the Village Corporation as rapidly as possible:

IT IS THEREFORE AGREED THAT:

1. Cook Inlet Region, and the undersigned (hereinafter referred to as Village Corporations) support the legislation attached as Appendix A to this agreement or a version substantially conforming thereto;
2. There shall be formed a Board with one representative from each of the Village Corporations that has selected lands under Section 12(a) within the areas to be conveyed to Cook Inlet Region under the legislation described in Appendix A. It shall be the function of this Board exclusively to exercise the consent powers described in Paragraph 3(C) of this Agreement. Each Village Corporation shall designate its own representative to the Board. The term of the Board shall expire at the time total 11(a)(3) conveyance as required by ANCSA has been received by all of the affected Village Corporations party to this agreement. The operation of the Board shall be governed by by-laws established within one year hereof. In the event of disagree-

AA13350

ENCLOSURE 3

1 ment, the matter shall be arbitrated under the rules of the American
2 Arbitration Association.

- 3 3. Upon receipt of a conveyance of such deficiency land from the Sec-
4 retary of the Interior pursuant to the legislation attached as Ap-
5 pendix A, Cook Inlet Region will reconvey the surface estate to such
6 land to the Village Corporation entitled thereto under their Section
7 12(a) selections as rapidly as possible, guided by the following
8 standards:

9 A. Unless the affected Village Corporations otherwise agree,
10 their Section 12(a) selections, including the specific tract
11 selected and the priorities listed in those selections, shall
12 govern.

13 B. Where there is no conflict among the Village Corporations
14 arising from the alternate methods of filing (Methods A, B,
15 C and D), see Appendix B, and where it is clear that a Village
16 Corporation will be eligible for the land and will reach the
17 parcel in its priorities, the Region shall immediately reconvey
18 the land, such reconveyance to be made within 10 working days of
19 receipt of such conveyance to the Region from the Secretary.

20 C. Where, as a result of conflict in the above-stated Section
21 12(a) filings or where, as a result of outstanding litigation
22 concerning Village Corporation eligibility, status of Mental
23 Health lands, or other similar conflicts, the right of a Village
24 Corporation to immediate reconveyance is not certain, Cook
25 Inlet Region shall hold and administer the lands to which the
26 Village Corporation will ultimately be entitled in trust for the
27 benefit of such Village Corporations, with the following limitations:

28 (i) Cook Inlet Region shall not develop or cause to be developed
29 any portion of the surface or subsurface estate of any such
30 lands held in trust by the Region without the consent of the
31 Board described in Paragraph 2.

32 (ii) Such provisions shall apply until the Section 12(a) entitle-
ment of the Village Corporations is satisfied.

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- D. Cook Inlet Region shall reconvey such lands as soon as the uncertainties are resolved.
4. Conveyance of lands under any of the formulas (A, B, C and D) will result in isolated islands of land without access to such lands. In order to guarantee access for each of the affected villages, the Board, as described in Paragraph 2 shall within one year adopt an intervillage access easement agreement satisfactory to all villages party to this agreement. In the event the parties cannot reach such an agreement in the time allowed them, they shall arbitrate in accordance with the rules of the American Arbitration Association.
5. Except as specifically provided in this agreement, the provisions of ANCSA are fully applicable to this agreement, such provisions to be insured by the legislation attached.

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COOK INLET REGION, INC.

William H. Smith
PRESIDENT

NINILCHIK NATIVE ASSOCIATION, INC.

Edward J. Smith
PRESIDENT

William H. Smith
GENERAL MANAGER

KNIKATNU, INC.

William H. Smith
GENERAL MANAGER

ALEXANDER CREEK NATIVE ASSOCIATION, INC.

William H. Smith
GENERAL MANAGER

SALAMATOFF NATIVE ASSOCIATION, INC.

James A. Seavey
PRESIDENT

Frank J. Seavey
BOARD MEMBER

TYONEN NATIVE CORPORATION

John J. Seavey
PRESIDENT

CHICKALCOON NATIVE ASSOCIATION, INC.

John J. Seavey
PRESIDENT

SEWARD NATIVE ASSOCIATION, INC.

John J. Seavey
PRESIDENT

1 State of Alaska)
2 Third Judicial District) ss.

3

4 THIS IS TO CERTIFY that on this 25th day of August, 1976, before
5 me, the undersigned, a Notary Public in and for Alaska, personally appeared
6 Roy M. Munnendorf to me known and known to me to be the President. of Cook Inlet
7 Region, Inc., and he acknowledged to me that he had in his official capacity
8 aforesaid executed the foregoing instrument as the free act and deed of the
9 said corporation for the uses and purposes therein stated.

10 WITNESS my hand and notarial seal on the day and year in this certi-
11 ficate first above written.

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[Signature]
Notary Public in and for Alaska
My commission expires June 30, 1982

16 State of Alaska)
17 Third Judicial District) ss.

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THIS IS TO CERTIFY that on this 28th day of August, 1976, before
me, the undersigned, a Notary Public in and for Alaska, personally appeared
Samuel B. Bantam to me known and known to me to be the President
of Ninilic Native Association, Inc., and he acknowledged
to me that he had in his official capacity aforesaid executed the foregoing
instrument as the free act and deed of the said corporation for the uses and
purposes therein stated.

WITNESS my hand and notarial seal on the day and year in this certi-
ficate first above written.

[Signature]
Notary Public in and for Alaska
My commission expires June 30, 1982

1 State of Alaska)
2 Third Judicial District) ss.

3
4 THIS IS TO CERTIFY that on this 25 day of August, 1976, before
5 me, the undersigned, a Notary Public in and for Alaska, personally appeared
6 Judy Karpf to me known and known to me to be the General
7 Manager of Alexander Creek Native Association, Inc., and he acknowledged
8 to me that he had in his official capacity aforesaid executed the foregoing
9 instrument as the free act and deed of the said corporation for the uses and
10 purposes therein stated.

11 WITNESS my hand and notarial seal on the day and year in this certi-
12 ficate first above written.

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15 [Signature]
16 Notary Public in and for Alaska
My commission expires: June 30, 1980

17 State of Alaska)
18 Third Judicial District) ss.

19
20 THIS IS TO CERTIFY that on this 24 day of August, 1976, before
21 me, the undersigned, a Notary Public in and for Alaska, personally appeared
22 Samuel to me known and known to me to be the President
23 of Salsamoff Native Association, Inc., and he acknowledged to
24 me that he had in his official capacity aforesaid executed the foregoing
25 instrument as the free act and deed of the said corporation for the uses and
26 purposes therein stated.

27 WITNESS my hand and notarial seal on the day and year in this certi-
28 ficate first above written.

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31 [Signature]
32 Notary Public in and for Alaska
My commission expires: June 30, 1980

1 State of Alaska)
2 Third Judicial District) ss.

3
4 THIS IS TO CERTIFY that on this 28th day of August, 1976, before
5 me, the undersigned, a Notary Public in and for Alaska, personally appeared
6 David K. Kikacnu to me known and known to me to be the General
7 Manager of Kikacnu, Inc., and he acknowledged to me that he had in his
8 official capacity aforesaid executed the foregoing instrument as the free act
9 and deed of the said corporation for the uses and purposes therein stated.

10 WITNESS my hand and notarial seal on the day and year in this certi-
11 ficate first above written.

12
13 David K. Kikacnu
14 Notary Public in and for Alaska
15 My commission expires: March 30, 1980

16 State of Alaska)
17 Third Judicial District) ss.

18
19 THIS IS TO CERTIFY that on this 28th day of August, 1976, before
20 me, the undersigned, a Notary Public in and for Alaska, personally appeared
21 Alan Kikacnu to me known and known to me to be the President
22 _____ of Chickaloon Native Association, Inc., and he acknowledged to
23 me that he had in his official capacity aforesaid executed the foregoing
24 instrument as the free act and deed of the said corporation for the uses and
25 purposes therein stated.

26 WITNESS my hand and notarial seal on the day and year in this certi-
27 ficate first above written.

28
29 Alan Kikacnu
30 Notary Public in and for Alaska
31 My commission expires: March 30, 1980
32

1 State of Alaska)
2 Third Judicial District) ss.

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4 THIS IS TO CERTIFY that on this 10th day of August, 1976, before
5 me, the undersigned, a Notary Public in and for Alaska, personally appeared
6 B. James Mearns to me known and known to me to be the President
7 _____ of Tyonek Native Corporation, and he acknowledged to me that he
8 had in his official capacity aforesaid executed the foregoing instrument as
9 the free act and deed of the said corporation for the uses and purposes therein
10 stated.

11 WITNESS my hand and notarial seal on the day and year in this certi-
12 ficate first above written.

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15 _____
Notary Public in and for Alaska
My commission expires: June 30, 1980

16
17 State of Alaska)
18 Third Judicial District) ss.

19
20 THIS IS TO CERTIFY that on this 10th day of August, 1976, before
21 me, the undersigned, a Notary Public in and for Alaska, personally appeared
22 Ed E. Linn to me known and known to me to be the President
23 _____ of Seldovia Native Association, Inc., and he acknowledged
24 to me that he had in his official capacity aforesaid executed the foregoing
25 instrument as the free act and deed of the said corporation for the uses and
26 purposes therein stated.

27 WITNESS my hand and notarial seal on the day and year in this certi-
28 ficate first above written.

29
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31 _____
Notary Public in and for Alaska
My commission expires: June 30, 1980

32

Note the serial pg for AA-13358:
 IC 285 issued to Cook Inlet Region, Inc.,
 for the surface and subsurface test area
 on February 11, 1980, for approximately
 26,688 acres. (See land dec below)

Seward Meridian, Alaska (Unsurveyed)

T. 31 N., R. 1 E.
 Secs. 1 to 5, inclusive, all.

Containing approximately 3,200 acres.

T. 32 N., R. 1 E.
 Secs. 31 and 32, all.

Containing approximately 1,246 acres.

T. 31 N., R. 2 E.
 Sec. 1, all;
 Sec. 12, all.

Containing approximately 1,280 acres.

T. 32 N., R. 2 E.
 Secs. 32 to 36, inclusive, all.

Containing approximately 3,200 acres.

T. 31 N., R. 3 E.
 Secs. 19 to 22, inclusive, all;
 Sec. 24, all.

Containing approximately 3,173 acres.

T. 31 N., R. 4 E.
 Secs. 2 and 3, all;
 Sec. 16, all;
 Secs. 19 and 21, all.

Containing approximately 3,173 acres.

T. 32 N., R. 4 E.
 Sec. 25, all;
 Secs. 26 and 36, all.

Containing approximately 1,920 acres.

T. 32 N., R. 5 E.
 Secs. 26, 27 and 28, all;
 Secs. 29 to 33, inclusive, all.

Containing approximately 4,416 acres.

T. 32 N., R. 6 E.
 Secs. 25 to 28, inclusive, all;
 Secs. 31, 32, 33 and 36, all.

Containing approximately 4,000 acres.

Aggregating approximately 26,688 acres.

Note (the serial pgs) for the following state selections:

State selection application rejected as to the following lands for conveyance to Cook Inlet Region by IC 285 dated February 11, 1980.

<u>Serial Number</u>	<u>Description</u>
	Seward Meridian, Alaska (Unsurveyed)
AA-21417	T. 31 N., R. 1 E. Secs. 1 to 5, inclusive, all. Containing approximately 3,200 acres.
AA-21418	T. 31 N., R. 2 E. Sec. 1, all; Sec. 12, all. Containing approximately 1,280 acres.
AA-21419	T. 31 N., R. 3 E. Secs. 19 to 22, inclusive, all; Sec. 24, all. Containing approximately 3,173 acres.
AA-21420	T. 31 N., R. 4 E. Secs. 2 and 3, all; Sec. 16, all; Secs. 19 and 21, all. Containing approximately 3,173 acres.
AA-21427	T. 32 N., R. 1 E. Secs. 31 and 32, all. Containing approximately 1,246 acres.
AA-21428	T. 32 N., R. 2 E. Secs. 31 to 36, inclusive, all. Containing approximately 1,246 acres.
AA-21430	T. 32 N., R. 3 E. Secs. 31 and 36, all. Containing approximately 1,246 acres.

Continuation to next pg

Continue noting State selections:

AA-21431

T. 32 N., R. 5 E.
Secs. 26, 27 and 28, all;
Secs. 30 to 33, inclusive, all.

Containing approximately 4,416 acres.

AA-21540

T. 32 N., R. 1 W.
Secs. 25 to 28, inclusive, all;
Secs. 31, 32, 33 and 36, all.

Containing approximately 5,086 acres.

Note the serial page for AA-11160:

Native Group application rejected as to the following lands for conveyance to Cook Inlet Region, Inc., by IC 285 dated February 11, 1980.
Seward Meridian, Alaska (Unsurveyed)

T. 32 N., R. 1 E.

Secs. 31 and 32, all.

Containing approximately 1,246 acres.

Note the serial page for AA-11153-20:

Region Selection application rejected as to the following lands for conveyance to Cook Inlet Region, Inc., by IC 285 dated February 11, 1980.

~~Seward Meridian, Alaska (Unsurveyed)~~

Seward Meridian, Alaska (Unsurveyed)

T. 31 N., R. 1 E.

Secs. 1 to 5, inclusive, all.

Containing approximately 1,200 acres.

Continue on to next page

28749
Continue listing AA-11153-20:

T. 32 N., R. 1 E.
Secs. 31 and 32, all.

Containing approximately 1,246 acres.

T. 31 N., R. 2 E.
Sec. 1, all;
Sec. 12, all.

Containing approximately 1,280 acres.

T. 32 N., R. 2 E.
Secs. 32 to 36, inclusive, all.

Containing approximately 3,200 acres.

T. 31 N., R. 3 E.
Secs. 19 to 22, inclusive, all;
Sec. 24, all.

Containing approximately 3,173 acres.

T. 31 N., R. 4 E.
Secs. 2 and 3, all;
Sec. 16, all;
Secs. 19 and 21, all.

Containing approximately 3,173 acres.

T. 32 N., R. 4 E.
Sec. 25, all;
Secs. 25 and 36, all.

Containing approximately 1,920 acres.

T. 32 N., R. 5 E.
Secs. 26, 27 and 28, all;
Secs. 30 to 33, inclusive, all.

Containing approximately 4,416 acres.

T. 32 N., R. 1 W.
Secs. 25 to 28, inclusive, all;
Secs. 31, 32, 33 and 36, all.

Containing approximately 5,086 acres.

Aggregating approximately 26,588 acres.

Pls note the following village selection serial pages for AA-6685-A2, AA-6698-B2, ~~AA-6700-A2~~, AA-6706-B2, AA-6707-B2, AA-8485-A2, AA-8487-B2, AA-8489-A2:

(Village selection application rejected ~~then~~ as to the following lands for conveyance to Cook Inlet Region, Inc., by IC 285; dated February 11, 1980.

Seward Meridian, Alaska (Unsurveyed)

T. 31 N., R. 1 E.
Secs. 1 to 5, inclusive, all.

Containing approximately 3,200 acres.

T. 32 N., R. 1 E.
Secs. 31 and 32, all.

Containing approximately 1,246 acres.

T. 31 N., R. 2 E.
Sec. 1, all;
Sec. 12, all.

Containing approximately 1,280 acres.

T. 32 N., R. 2 E.
Secs. 32 to 36, inclusive, all.

Containing approximately 3,200 acres.

T. 31 N., R. 3 E.
Secs. 19 to 22, inclusive, all;
Sec. 24, all.

Containing approximately 3,173 acres.

T. 31 N., R. 4 E.
Secs. 2 and 3, all;
Sec. 16, all;
Secs. 19 and 21, all.

Containing approximately 3,173 acres.

T. 32 N., R. 4 E.
Sec. 35, all;
Secs. 35 and 36, all.

Containing approximately 1,920 acres.

T. 32 N., R. 5 E.
Secs. 26, 27 and 28, all;
Secs. 30 to 33, inclusive, all.

Containing approximately 4,410 acres.

Continued pg

11-60-80

Continue noting Village selections:

T. 32 N., R. 1 W.

Secs. 25 to 28, inclusive, all;

Secs. 31, 32, 33 and 36, all.

Containing approximately 5,086 acres.

Aggregating approximately 26,688 acres.

Note (the serial pages for the following village selections):

Village selection application rejected ~~was~~
as to the following lands for conveyance
to Cook Inlet Region, Inc., by IC 285
dated February 11, 1980.

(Note: They are all Seward Meridian, Alaska (Unsurveyed))

✓ AA-6685-D

T. 32 N., R. 2 E.

Sec. 33, all.

Containing approximately 640 acres.

T. 31 N., R. 4 E.

Sec. 19, all.

Containing approximately 613 acres.

Aggregating approximately 1,253 acres.

AA-6701-A2

T. 31 N., R. 1 E.

Sec. 5, all.

Containing approximately 640 acres.

Cont. next page

Continue rating Village selections:

AA-6707-F

T. 31N., R. 1E.

Secs. 1 to 4, inclusive, all.

Containing approximately 2,560 acres.

T. 31N., R. 31E.

Sec. 31, all.

Containing approximately 606 acres.

T. 31N., R. 2E.

Secs. 1 and 12, all.

Containing approximately 1,280 acres.

T. 32N., R. 2E.Secs. ^{34, 35 and 36, all.}
~~34 to 36, inclusive, all.~~

Containing approximately 1,920 acres.

T. 31N., R. 3E.

Secs. 19, 20, 21 and 24, all.

Containing approximately 2,560 acres.

T. 31N., R. 4E.

Secs. 2, 3, 16, 19 and 21, all.

Containing approximately 3,200 acres.

T. 32N., R. 4E.

Secs. 35 and 36, all.

Containing approximately 1,280 acres.

T. 32N., R. 5E.

Secs. 30 to 33, inclusive, all.

Containing approximately 2,560 acres.

Continuing Village selections:

AA-6907-F (cont.)

T. 32 N., R. 1 W.

Secs. 25 to 28, inclusive, all;

Secs. 31, 32 and 33, all;

Sec. 36, all.

Containing approximately
5,086 acres

Aggregating approx. 21,052 acres.

AA-8485-B

T. 31 N., R. 1 E.

Secs. 1 to 5, inclusive, all.

Containing approximately 3,200 acres.

T. 32 N., R. 1 E.

Secs. 31 and 32, all.

Containing approximately 1,246 acres.

T. 31 N., R. 2 E.

Secs. 1 and 12, all.

Containing approximately 1,280 acres.

T. 32 N., R. 2 E.

Secs. 32 to 36, inclusive, all.

Containing approximately 3,200 acres.

T. 31 N., R. 3 E.

Secs. 19 to 22, inclusive, all;

Sec. 24, all.

Containing approximately 3,173 acres.

Cont. next pg

Continue noting Village selections:

AA-8485-B (cont) T. 31 N., R. 4 E.

Secs. 2, 3, 16, 19 and 21, all.

Containing approximately 3,173 acres.

T. 32 N., R. 4 E.

Secs. 25, 35 and 36, all.

Containing approximately 1,920 acres.

T. 32 N., R. 5 E.

Secs. 26, 27 and 28, all;

Secs. 30 to 33, inclusive, all.

Containing ^{approximately} 410 acres.

T. 32 N., R. 1 W.

Secs. 25 to 28, inclusive, all;

Secs. 31, 32, 33 and 36, all.

Containing approximately 5,086 acres.

Aggregating approximately 26,688 acres.

~~AA-8485-B T. 32 N., R. 1 E.~~

If you have any questions or problems,
call me at 5768.

Shari Belenski

DEED OF TITLE

1 KNOW ALL MEN BY THESE PRESENTS that Cook Inlet Region, Inc.,
2 an Alaska Corporation, as GRANTOR, acting pursuant to and in accordance
3 with Section 4, Pub. L. 94-456, (90 Stat. 1935), 43 U.S.C. 1611 note
4 (1976), as implemented by the ANCSA Section 12(a) Conveyance Agreement,
5 DOES HEREBY CONVEY AND QUITCLAIM to Knikatu, Incorporated, an Alaska
6 corporation, as GRANTEE, all of the GRANTOR'S right, title and interest
7 in the surface estate therein in and to the following described real
8 property situated in the Matanuska-Susitna Borough, State of Alaska:

9
10 Seward Meridian, Alaska (Unsurveyed)

11
12 T. 32 N., R. 1 E.,

13 Sec. 32,

14 T. 32 N., R. 2 E.,

15 Sec. 33,

16 T. 31 N., R. 3 E.,

17 Sec. 22,

18 T. 32 N., R. 5 E.,

19 Sec. 26,

20 Sec. 27,

21
22 Containing approximately 3,200 acres.

23
24 TO HAVE AND TO HOLD the surface estate of said lands, together
25 with the appurtenances thereof unto said GRANTEE and its assignees forever.

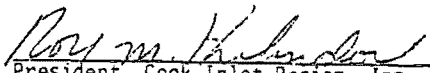
26
27 EXCEPTING AND RESERVING to Cook Inlet Region, Inc., as GRANTOR,
28 the subsurface estate in the above-described property and all rights
29 appurtenant thereto.

30
31 THE GRANT OF THE ABOVE-DESCRIBED REAL PROPERTY IS SUBJECT to
32 valid existing rights therein, if any, including, but not limited to, any
CIRI DEED Number 009

1 easements, reservations, covenants, conditions, restrictions, plat notations
2 and agreements contained or noted in United States of America, Interim
3 Conveyance Number 285, recorded at Talkoetna Recording District, Book Number
4 73, Page Numbers 503 - 528, conveying the above-described real property
5 to Cook Inlet Region, Inc., dated February 11, 1980.

6
7 This Deed of Title shall become an effective conveyance of the
8 real property and interests in real property described herein only upon
9 acceptance by Knikatu, Incorporated, the GRANTEE, pursuant to the pro-
10 visions of Section 4, Pub. L. 94-456, (90 Stat. 1935), 43 U.S.C. 1611 note,
11 (1976), as implemented by the ANCSA Section 12(a) Conveyance Agreement,
12 dated August 28, 1976, which acceptance shall be complete upon placement of
13 the signature of the duly authorized representative of Knikatu, Incor-
14 porated, in the space provided below.

15
16 IN TESTIMONY WHEREOF, Cook Inlet Region, Inc., as GRANTOR, has
17 caused these presents to be executed by the President of Cook Inlet
18 Region, Inc., on the date below written.

19
20 
21 President, Cook Inlet Region, Inc.

22 Date: Feb 26, 1980

23
24 STATE OF ALASKA)
25) ss.
26 THIRD JUDICIAL DISTRICT)
27

28 THIS IS TO CERTIFY that on this 26th day of February 1980,
29 before me, the undersigned, a Notary Public in and for Alaska, personally
30 appeared Roy M. Huhndorf, to me known and known to me to be the President
31 of Cook Inlet Region, Inc., and he acknowledged to me that he had in his
32 official capacity aforesaid executed the foregoing instrument as the free

CIRI DEED Number 009
Page TWO

1 act and deed of the said corporation for the uses and purposes therein
2 stated.

3
4 WITNESS my hand and notarial seal on the day and year in this
5 certificate first above written.

6
7 Frederic M. Fink
8 NOTARY PUBLIC in and for Alaska
9 My Commission expires 7-21-82

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32 CIRI DEED Number 009

Page THREE

ACCEPTANCE BY KNIKATNU, INC., AS GRANTEE

1 This Deed to Title is hereby accepted by Knikatnu, Incorporated
2 pursuant to the provisions of Section 4, Pub. L. 94-456, 90 Stat. 1935,
3 43 U.S.C. 1611 note (1976), as implemented by the ANCSA Section 12(a)
4 Conveyance Agreement, dated August 28, 1976, on the date below written.
5

6 _____
7 Title: _____

8 Date: _____
9

10 STATE OF ALASKA)
11) ss.
12 THIRD JUDICIAL DISTRICT)
13

14 Before me appeared _____, who
15 is known to me and who stated that he is the person designated by the
16 United States to accept the foregoing Deed of Title pursuant to Pub.
17 L. 94-456, 90 Stat. 1935, 43 U.S.C. 1611 note (1976), as implemented
18 by the ANCSA Section 12(a) Conveyance Agreement, dated August 28, 1976,
19 that he has accepted such Deed of Title pursuant to the provisions of
20 such law, and that such act was performed freely and voluntarily in
21 partial fulfillment of such provisions.
22

23 NOTARY PUBLIC in and for Alaska
24 My Commission expires: _____
25
26
27
28
29
30
31

32 CIRI DEED Number 009
Page FOUR

INTERIM CONVEYANCE

WHEREAS

Cook Inlet Region, Inc.

is entitled to a conveyance pursuant to Secs. 14(a) and 22(j) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 702, 715; 43 U.S.C. 1601, 1613(a), 1621(j)), as amended by Sec. 4 of the act of October 4, 1976 (90 Stat. 1934, 1935; 43 U.S.C. 1611), of the surface and subsurface estates of the following described lands:

Seward Meridian, Alaska (Unsurveyed)T. 31 N., R. 1 E.

Secs. 1 to 5, inclusive, all.

Containing approximately 3,200 acres.

T. 32 N., R. 1 E.

Secs. 31 and 32, all.

Containing approximately 1,246 acres.

T. 31 N., R. 2 E.

Sec. 1, all;

Sec. 12, all.

Containing approximately 1,280 acres.

T. 32 N., R. 2 E.

Secs. 32 to 36, inclusive, all.

Containing approximately 3,200 acres.

T. 31 N., R. 3 E.

Secs. 19 to 22, inclusive, all;

Sec. 24, all.

Containing approximately 3,173 acres.

T. 31 N., R. 4 E.

Secs. 2 and 3, all;

Sec. 16, all;

Secs. 19 and 21, all.

Containing approximately 3,173 acres.

T. 32 N., R. 4 E.

Sec. 25, all;

Secs. 35 and 36, all.

Containing approximately 1,920 acres.

T. 32 N., R. 5 E.

Secs. 26, 27 and 28, all;

Secs. 30 to 33, inclusive, all.

Containing approximately 4,410 acres.

WHEREAS

Cook Inlet Region, Inc.

is entitled to a conveyance pursuant to Secs. 14(a) and 22(j) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 702, 715; 43 U.S.C. 1601, 1613(a), 1621(j)), as amended by Sec. 4 of the act of October 4, 1976 (90 Stat. 1934, 1935; 43 U.S.C. 1611), of the surface and subsurface estates of the following described lands:

Seward Meridian, Alaska (Unsurveyed)

T. 31 N., R. 1 E.

Secs. 1 to 5, inclusive, all.

Containing approximately 3,200 acres.

T. 32 N., R. 1 E.

Secs. 31 and 32, all.

Containing approximately 1,246 acres.

T. 31 N., R. 2 E.

Sec. 1, all;

Sec. 12, all.

Containing approximately 1,280 acres.

T. 32 N., R. 2 E.

Secs. 32 to 36, inclusive, all.

Containing approximately 3,200 acres.

T. 31 N., R. 3. E.

Secs. 19 to 22, inclusive, all;

Sec. 24, all.

Containing approximately 3,173 acres.

T. 31 N., R. 4 E.

Secs. 2 and 3, all;

Sec. 16, all;

Secs. 19 and 21, all.

Containing approximately 3,173 acres.

T. 32 N., R. 4 E.

Sec. 25, all;

Secs. 35 and 36, all.

Containing approximately 1,920 acres.

T. 32 N., R. 5 E.

Secs. 26, 27 and 28, all;

Secs. 30 to 33, inclusive, all.

Containing approximately 4,416 acres.

AA-13358

T. 32 N., R. 1 W.
Secs. 25 to 28, inclusive, all;
Secs. 31, 32, 33 and 36, all.

Containing approximately 5,086 acres.

Aggregating approximately 26,688 acres.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES OF AMERICA, unto the above-named corporation the surface and subsurface estates in the land above-described, TO HAVE AND TO HOLD the said estates with all the rights, privileges, immunities and appurtenances, of whatsoever nature, thereunto belonging, unto the said corporation, its successors and assigns, forever:

THE GRANT OF THE ABOVE-DESCRIBED LANDS IS SUBJECT TO:

1. Issuance of a patent confirming the boundary description of the lands hereinabove granted after approval and filing by the Bureau of Land Management of the official plat of survey covering such lands;
2. Valid existing rights therein, if any, including but not limited to those created by any lease (including a lease issued under Sec. 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339, 341; 48 U.S.C. Ch. 2, Sec. 6(g))), contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 708; 43 U.S.C. 1601, 1616(b)(2) (ANCSA)), any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law;
3. The terms and conditions of the agreement dated August 31, 1976, between Cook Inlet Region, Inc., and the Secretary of the Interior. A copy of the agreement is hereby attached to and made a part of this conveyance document; and
4. Those lands and interests in the lands conveyed within the exterior boundaries of Power Site Classification No. 443, February 13, 1958, are subject to Sec. 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1063, 1065; 16 U.S.C. 791, 818), pursuant to Sec. 12(e) of P.L. 94-204 (89 Stat. 1145, 1153).

IN WITNESS WHEREOF, the undersigned authorized officer of the Bureau of Land Management has, in the name of the United States, set his hand and caused the seal of the Bureau to be hereunto affixed on this 11th day of February, 1980, in Anchorage, Alaska.

UNITED STATES OF AMERICA

William D. Arnold

Assistant to the State Director
for ANCSA

285

INTERIM CONVEYANCE NO. _____

DATE FEB 11 1980

ALEXANDER CREEK

AGREEMENT REGARDING
CERTAIN LANDS AND ELIGIBILITY
UNDER THE ALASKA NATIVE CLAIMS SETTLEMENT ACT

This Agreement is made this _____ day of _____, 1980 by and between Cook Inlet Region, Inc., (Region) an Alaska corporation created pursuant to the Alaska Native Claims Settlement Act (ANCSA) as a Native regional corporation, Alexander Creek, Inc., (Alexander) an Alaska corporation created pursuant to ANCSA as a Native village corporation, and the Matanuska-Susitna Borough, (the Borough) an Alaska municipal corporation, and the State of Alaska, (the State).

WHEREAS:

1. There are competing claims between the Borough and the Region to certain state lands; and

2. There is pending before the Secretary of the Interior a claim by Alexander for certification of Village Corporation status which, if achieved, would result in certain claims to lands; and

3. There is pending before the Department of the Interior on remand from the United States Court of Appeals, District of Columbia Circuit, an appeal from a finding of ineligibility of Alexander for benefits as a Native village under ANCSA to which appeal the State is a party; and

4. There is an agreement to which Alexander, the Region and the Borough are parties which is dated December 18, 1974, and which could obligate Alexander to convey lands to the Borough; and

5. There is a contract to which Chickaloon-Moose Creek Native Association (Chickaloon), Knikatu, Inc. (Knik), the Region and the Borough are parties which is dated July 30, 1974 and which, among other things obligates Chickaloon, Knik, and the Region to

1 of record and valid existing rights. If required by law, an appropriate
2 waiver of platting and subdivision requirements shall be delivered
3 by the Borough to the Region to be recorded with the deed.
4

5 COOK INLET REGION, INC.

6 By: Roy M. Huhndorf
7 Roy M. Huhndorf, President

8 Attest:

9 B. James Brown
10 Secretary, Cook Inlet Region, Inc.

11 ALEXANDER CREEK, INC.

12 By: Reinhold M. Ihiele
13 Reinhold M. Ihiele, President

14 Attest:

15 Lamara L. Ihiele
16 Secretary, Alexander Creek, Inc.

17 MATANUSKA-SUSITNA BOROUGH, INC.

18 By: Norman J. Levesque
19 Norman J. Levesque, Borough Manager

20 Attest:

21 Emeline Thompson
22 Borough Clerk

23 STATE OF ALASKA

24 By: Robert LeResche
25 Robert LeResche, Commissioner
26 Department of Natural Resources

27 Attest:

28 Approved as to form:

29 Attorney General's Office
30
31
32

APPENDIX A

Seward Meridian

T. 26 N., R. 4 W.,

Sec. 22,

All,

Sec. 23,

All,

Sec. 24,

S1/2,

NW1/4;

Sec. 25,

N1/2,

Sec. 26,

N1/2,

N1/2SW1/4,

Sec. 27,

N1/2,

SW1/4,

N1/2SE1/4,

SW1/4SE1/4;

Sec. 29,

Lot 7,

Lot 8,

Lot 9,

Lot 12,

Lot 17,

Lot 25,

Lot 27

Lot 28,

Sec. 32

All, excluding Talkeetna Lakes

APPENDIX B

Seward Meridian

T. 16 N., R. 14 W., S.M.

Sec. 30,

W1/2.

*Terminator
Glover (delete)*

APPENDIX C

Seward Meridian

T. 15 N., R. 7 W.,

Sec. 5.

that portion of the W1/2 northwesterly
of the Susitna River excluding USS
4628 Lots 2-4, USS 3409, ASLS 71-4
and Alexander Creek.

Sec. 6,

all northerly and westerly of Alexander
Creek excluding USS 1824, USS 3168,
USS 4628 Lots 1-3, USS 3409, and ASLS
75-45.

T. 16 N., R. 7 W.,

Sec. 30,

all excluding USS 3733 Lots 3-6, USS
4626, and ASLS 74-32.

Sec. 31,

all excluding USS 3733 Lots 1 & 2,
and USS 4627 Lots 1 & 2.

APPENDIX D

Seward Meridian

T. 15 N., R. 7 W.,

Sec. 5,

that portion of the W1/2 northwesterly
of the Susitna River excluding USS
4628 Lots 2-4, USS 3409, ASLS 71-4 and
Alexander Creek.

Sec. 6,

all northerly and westerly of Alexander
Creek excluding USS 1824, USS 3168,
USS 4628 Lots 1-3, USS 3409, and
ASLS 75-45.

T. 16 N., R. 7 W.,

Sec. 30,

all excluding USS 3733 Lots 3-6, USS
4626, and ASLS 74-32.

Sec. 31,

all excluding USS 3733 Lots 1 & 2,
and USS 4627 Lots 1 & 2.

Sec. 32,

that portion of the W1/2W1/2 excluding
USS 4627 and Alexander Creek.

Form 1020-1
(November 1977)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

FORM APPROVED
OMB NO. 42-10005

TEMPORARY USE APPLICATION AND PERMIT
Title 16, Sec. 38(c) of the Mineral Leasing Act of 1920, 30 U.S.C. 185, as amended; Secs. 102(b) and 304(a) of P.L. 94-379, October 21, 1976, 43 U.S.C. 1732, 1744.

Serial Number

AK-017-0096

INSTRUCTIONS ON REVERSE

APPLICATION

1. Name (first, middle initial, and last)

Alaska Power Authority

Address (include zip code)

333 West Fourth Avenue, Suite 31
Anchorage, Alaska 99501

2. Give legal description of public lands for which you are applying

TOWNSHIP

RANGE

SECTION

SUBDIVISION

See Attachment A - Legal Description

Location	State	County	Acres (number)
Seward and Fairbanks	Alaska	N/A	10,344.960

3. Proposed date(s) of use: From April 15, 1980 to December 31, 1983

4a. Are you 21 years of age or over?

☒ Yes ☐ No

b. Are you a citizen of the United States or have you declared your intention? ☒ Yes ☐ No

5. As applicant, are you a ☐ Partnership ☐ Association ☐ Corporation ☐ Individual(s); or an agency of ☐ Federal Government ☒ State Government ☐ Political subdivision of any state?

6. Are the statements required by Instruction Number 2 attached? ☐ Yes ☐ No ☒ Not applicable

7. Are you making this application for your own use and benefit? ☐ Yes ☒ No (If "no," explain)

The activities described in the attached narrative will be accomplished by various subcontractors of the Alaska Power Authority.

8. Are the lands now improved, occupied, or used? ☒ Yes ☐ No (If "yes," describe improvements and purposes, identify users and occupants)

Residential and commercial uses exist within the Anchorage-Fairbanks railbelt area. Within the Susitna River Basin, some recreational and residential structures are present; otherwise, the River Basin is generally undeveloped.

9. What do you propose to use the lands for?

Perform the field study program activities required for the Susitna Hydroelectric Feasibility Study.

10. What improvements, including sanitation facilities, do you intend to make? (Describe improvements and attach drawings, if convenient)

N/A -- See attached narrative and emergency addendum submitted June 17, 1980. *James H. Lewis 6/17/80*
JCL/MSH

11. What is the estimated cost of proposed improvement? \$ N/A

d. What is the proposed source of water for domestic or other uses?

N/A

12. Have you enclosed filing fee of \$10? ☐ Yes ☒ No (See Instruction Number 3)

I CERTIFY That the information given by me in this application is true, complete, and correct to the best of my knowledge and belief and is given in good faith.

4 April 1980
(Date)

Eric Yould
Eric Yould, Executive Director
(Signature of Applicant)

This is U.S.C. Section 1001, making it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations or to any matter within its jurisdiction.

BRB

PERMIT

Permission is hereby granted to Alaska Power Authority

of 333 West Fourth Avenue, Suite 31
Anchorage, Alaska 99501
to use the following-described lands:

TOWNSHIP	RANGE	SECTION	SUBDIVISION
----------	-------	---------	-------------

See Attachment "A"

Mission	State	County	Acres (approx)
---------	-------	--------	----------------

for the purpose of Field studies related to Susitna Hydropower Feasibility Study.

and subject to the following conditions:

1. This permit is issued for the period specified below. It is revocable at the discretion of the authorized officer of the Bureau of Land Management, at any time upon notice. This permit is subject to valid adverse claims heretofore or hereafter acquired.

2. Permittee shall pay, annually, to the authorized officer the sum of \$100.00 as rental or such other sum as may be required if a rental adjustment is made.

3. Permittee shall observe all Federal, State, and local laws and regulations applicable to the premises and to creation or maintenance of signs or advertising displays including the regulations for the protection of game lands and game animals, and shall keep the premises in a neat, orderly, and sanitary condition.

4. Use or occupancy of land under this permit shall commence on the date hereof and shall be terminated at least 1 day each year.

5. Permittee shall take all reasonable precautions to prevent and suppress forest, brush, and grass fire and prevent pollution of waters on or in the vicinity of the lands.

15. Special Conditions:

6. Authorized representatives of the Department of the Interior, other Federal agencies, and game wardens shall at all times have the right to enter the premises on official business.

7. Permittee shall not construct roads or works necessary in public use.

8. Permittee shall pay the United States for any damage to its property resulting from this use.

9. Permittee shall notify the authorized officer of address change immediately.

10. This permit is subject to all applicable provisions of the regulations (43 CFR 1920) which are made a part hereof.

11. Permittee agrees to have the serial number of this permit marked or painted on each advertising display erected or maintained under the authority of such permit.

12. Permittee shall not cut any timber on the lands without prior permission from the authorized officer.

13. This permit is subject to the provisions of Executive Order No. 11246 of September 24, 1963, as amended, which sets forth the Equal Opportunity clause. A copy of this order may be obtained from the signing officer.

14. This permit may not be assigned without prior approval of the authorized officer of the Bureau of Land Management.

Stipulations contained in Attachment B

Permit issued for period

From 6/27/80

To December 31, 1983

Anchorage District Manager

INSTRUCTIONS

1. Submit, in duplicate, to any local office of the Bureau of Land Management having jurisdiction of the lands.

2. An application by a partnership or association must be accompanied by a statement by each member that he is a citizen of the United States or has filed a declaration to become a citizen. An application by a corporation must be accompanied by a statement showing that the corporation is authorized to hold land in the State in which the land is located and that the person making the application is authorized to act for the corporation.

3. If applicant is other than a Federal, State, or local government agency, the application must be accompanied by a

non-refundable filing fee of \$10 made payable to the Bureau of Land Management.

4. If this application is for permission to erect an advertising display or sign, the applicant must: (a) attach an accurate and fully descriptive diagram, sketch, or photograph (at least 1" x 5") of the sign or display to be erected showing the dimensions, type of construction, estimated cost, the advertising material to be included thereon, the plan of illumination, if any, and the manner of attachment to the land; and (b) a photograph (at least 1" x 5") showing the site on which the sign or display is to be erected.

BRB

ATTACHMENT A

GENERAL LEGAL DESCRIPTION

FIELD STUDY PROGRAM AREA

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTION</u>	<u>SUBDIVISION</u>
T. 13 N.	RS. 4-9W, 4-6E	A11	Seward Meridian
T. 14 N.	RS. 4-9W	A11	Seward Meridian
T. 15 N.	RS. 4-9W	A11	Seward Meridian
T. 16 N.	RS. 4-9W	A11	Seward Meridian
T. 17 N.	RS. 4-9W	A11	Seward Meridian
T. 18 N.	RS. 4-9W	A11	Seward Meridian
T. 19 N.	RS. 4-9W	A11	Seward Meridian
T. 20 N.	RS. 4-9W	A11	Seward Meridian
T. 21 N.	RS. 4-9W	A11	Seward Meridian
T. 22 N.	RS. 3-9W	A11	Seward Meridian
T. 23 N.	RS. 3-7W, 13-15 W.	A11	Seward Meridian
T. 24 N.	RS. 3-7W, 13-15 W.	A11	Seward Meridian
T. 25 N.	RS. 3-7W, 13-15 W.	A11	Seward Meridian
T. 26 N.	RS. 4-7W, 13-15W, 1-12 E.	A11	Seward Meridian
T. 27 N.	RS. 1-15W, 1-12 E.	A11	Seward Meridian
T. 28 N.	RS. 1-15W, 1-12 E.	A11	Seward Meridian
T. 29 N.	RS. 1-15W, 1-12 E.	A11	Seward Meridian
T. 30 N.	RS. 1-15W, 1-12 E.	A11	Seward Meridian
T. 31 N.	RS. 1-15W, 1-12 E.	A11	Seward Meridian
T. 32 N.	RS. 1-15W, 1-12 E.	A11	Seward Meridian
T. 33 N.	RS. 1-15W, 1-12 E.	A11	Seward Meridian

BKB

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTION</u>	<u>SUBDIVISION</u>
T. 1 N.	R. 2W	A11	Fairbanks Meridian
T. 1 S.	RS. 1-4W	A11	Fairbanks Meridian
T. 2 S.	RS. 4-7W	A11	Fairbanks Meridian
T. 3 S.	RS. 5-8W	A11	Fairbanks Meridian
T. 4 S.	RS. 7-8W	A11	Fairbanks Meridian
T. 5 S.	RS. 7-8W	A11	Fairbanks Meridian
T. 6 S.	RS. 7-8W	A11	Fairbanks Meridian
T. 7 S.	RS. 7-8W	A11	Fairbanks Meridian
T. 8 S.	RS. 8-9W	A11	Fairbanks Meridian
T. 9 S.	RS. 8-9W	A11	Fairbanks Meridian
T. 10 S.	RS. 6-9W	A11	Fairbanks Meridian
T. 16 S.	RS. 1-4W, 1-4E	A11	Fairbanks Meridian
T. 17 S.	RS. 1-4W, 1-4E	A11	Fairbanks Meridian
T. 18 S.	RS. 1-4W, 1-4E	A11	Fairbanks Meridian
T. 19 S.	RS. 1-4W, 1-4E	A11	Fairbanks Meridian
T. 20 S.	RS. 1-4W, 1-4E	A11	Fairbanks Meridian
T. 21 S.	RS. 1-4W, 1-4E	A11	Fairbanks Meridian
T. 22 S.	RS. 1-12W, 1-4E	A11	Fairbanks Meridian

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTION</u>	<u>SUBDIVISION</u>
T. 3 N.	RS. 5-9W.	A11	Copper River Meridian
T. 4 N.	RS. 5-9W.	A11	Copper River Meridian
T. 5 N.	RS. 5-9W.	A11	Copper River Meridian
T. 6 N.	RS. 5-9W.	A11	Copper River Meridian
T. 7 N.	RS. 5-9W.	A11	Copper River Meridian
T. 8 N.	RS. 5-9W.	A11	Copper River Meridian
T. 9 N.	RS. 5-9W.	A11	Copper River Meridian
T. 10 N.	RS. 5-9W.	A11	Copper River Meridian
T. 11 N.	RS. 5-9W.	A11	Copper River Meridian
T. 12 N.	RS. 5-9W.	A11	Copper River Meridian
T. 13 N.	RS. 5-9W.	A11	Copper River Meridian
T. 14 N.	R. 9 E.	A11	Copper River Meridian
T. 13 N.	R. 9 E.	A11	Copper River Meridian
T. 6 N.	RS. 7-8E.	A11	Copper River Meridian

BRB

Attachment B
AK-017-0096

STIPULATIONS
FOR
TEMPORARY USE PERMIT
SUSITNA HYDROPOWER FEASIBILITY STUDY

PERMITTEE - ALASKA POWER AUTHORITY

June 1980

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Definitions and General Stipulations

I. Definitions

- 1.1 "State Director" means the Alaska State Director or a person delegated to act as State Director.
- 1.2 "BLM Authorized Officer (AO)" means the District Manager, Anchorage District Office or a person delegated to exercise his authority with respect to these stipulations and the Permit.
- 1.3 "BLM Authorized Officer Field Representative (AOFR)" means the "on-site" representative of the Authorized Officer with field delegation of authority as contained in these stipulations.
- 1.4 "Permittee" means the Alaska Power Authority (APA) and its employees, agent and contractors, (including subcontractors at any tier).
- 1.5 Permittee to coordinate activities with other State and Federal agencies and its contractors. The Project Manager will be the APA official responsible for the resolution of conflicts that may arise during the operation of this permit through negotiation with the BLM Authorized Officer.
- 1.6 "Field Representative (FR)" as used herein means any person authorized by the APA Project Manager to act for the Permittee in regard to all the field activities within the Project Area.
- 1.7 "Project" means any and all activities encompassed by this permit regarding hydropower investigations on the Susitna River.
- 1.8 "Project Area" means the land areas and associated air traffic routes affected by the activities authorized by this permit.

II. General Stipulations

2.1 Responsibilities of Permittee

With regard to operations conducted under this Permit: (1) Permittee shall ensure full compliance with the provisions of this Permit including these Stipulations, by their agents, employees and contractors (including subcontractors of any tier), and the employees of each of them. (2) Unless clearly inapplicable, the requirements and prohibitions imposed upon the Permittee by these Stipulations are also imposed upon Permittee's agents, employees, contractors, and subcontractors, and the employees of each of them. (3) Failure or refusal of a Permittee's agents, employees, contractors, subcontractors, or their employees to comply with these Stipulations shall be deemed to be the failure or refusal of the Permittee. (4) Permittee shall require its agents, contractors and

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subcontractors to include these Stipulations in all contracts and subcontracts which are entered into by any of them, together with its agents, employees, contractors and subcontractors, and the employees of each of them, shall likewise be bound to comply with these Stipulations.

2.2 Wilderness Preservation

The Permittee, its agents, employees, and its contractors (including subcontractors of any tier) shall not engage in any activity within the project area which will knowingly violate the intent of Section 603 of P.L. 94-579 (Federal Land Policy and Management Act). All activities permitted will be conducted in a manner so as not to impair the suitability of the project area for preservation as wilderness. This will not preclude actions by the above parties to save loss of life which might violate these intents or other stipulations.

2.3 Modifications

The Authorized Officer, at this discretion, may require Permittee to make such modifications of the permitted activities, without liability or expense to the United States, as he deems necessary to prevent serious and irreparable harm to the environment (including but not limited to fish or wildlife populations, or their habitats); or remove hazards to public health and safety.

2.4 Field Representatives Stipulations

2.4.1 Bureau of Land Management (BLM)

BLM will designate one Authorized Officers Field Representative (AOFR) who will act as the Authorized Officer's field representative for monitoring all activities.

2.4.2 Alaska Power Authority (APA)

APA and its agents or contractors will designate a responsible Field Representative (FR) with authority to assure compliance with these stipulations and having the authority to modify or suspend any field operations. APA or its agents, employees or contractors will provide a responsible official with professional biological training who will accomplish environmental monitoring of the field operations and will check critical areas at the appropriate times.

2.5 Resolution of Conflict Procedure

If BLM AOFR and the designated FR for APA are not able to come to agreement concerning a field activity, the activity will cease and the activity in question will be referred to the BLM Authorized

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Officer and the APA Project Manager. If these parties are not able to agree, the matter will be resolved by the BLM State Director and the Director, Alaska Power Authority.

2.6 Notices to Proceed (NTP)

2.6.1 NTP

Permittees shall not initiate any discrete operation without prior written permission of the Authorized Officer or AOFR. Such permission shall be given solely by means of a written Notice to Proceed issued by the Authorized Officer or AOFR. Each Notice to Proceed shall authorize activity only as therein expressly stated. A sample NTP (field memo) is attached and made a part hereof.

The Authorized Officer or AOFR shall issue a Notice to Proceed only when in his judgement the activity is in conformity with the provisions of these Stipulations or future modifications thereof.

By written notice, the Authorized Officer or AOFR may revoke in whole or in part any Notice to Proceed which has been issued when in his judgement unforeseen conditions later arising require alterations in the Notice to Proceed in order to: prevent serious and irreparable harm to the environment (including but not limited to fish or wildlife populations, or their habitats); or remove hazards to public health and safety.

2.6.2 Discrete Operations

Discrete Operations are the major activities to be conducted in accordance with "Plans of Operations" to be submitted to the Authorized Officer on September 1 and March 1 throughout the life of the Permit for each Discrete Operation.

2.6.3 Plans of Operations

A Plan of Operations will be required for geotechnical and seismicity operations for Summer 1981 activities prior to issuance of an NTP.

The Plan of Operations, upon approval by the AO will become a part of these stipulations.

2.6.4 Plan of Operations - Contents

The Plan of Operations will revise and update project description for 1980 (pp. 24-27), and will include:

1. A description of the activity in sufficient detail so BLM can assess its potential to disturb the surface

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environment or wildlife populations. If a semi-annual Plan for an activity indicates environmental impacts not covered by the January 1979 assessment, the Permittee will prepare a revised assessment and mitigating measures to cover the new impacts.

2. Time of the activity.
3. Location of the activity.
4. Measures to be taken in order to minimize environmental disturbance.
5. A report which summarizes the past six months activity if any.

2.6.5 Notices to Proceed and Stop Work Orders (SWO) for Daily Operations.

Notice to Proceed and Stop Work Orders for operations may be actioned by the BLM AO or AOFR by written instruction. The normal procedure for a notice to proceed or stop work order will be use of a written field memo with all involved parties signing and receiving a copy of the field memo. Following issuance of the SWO, the BLM AO or AOFR shall immediately notify the APA FR.

2.7 Environmental Briefings

Prior to, and during, the field activity, Permittee shall provide for environmental and other pertinent briefings for construction and other personnel by such Federal employees as may be designated by the Authorized Officer. Permittees shall arrange the time, place and attendance for such briefings upon request by the Authorized Officer. Permittees shall bear all costs of such briefings other than salary, per diem, subsistence, and travel costs of Federal employees. In addition, Permittees shall separately arrange with the State of Alaska for such similar briefings as the State may desire.

2.8 Pollution Control

- 2.8.1 Permittees shall conduct all activities associated with the permit in a manner that will avoid or minimize degradation of air, land and water quality. In the operation, maintenance and termination of the Permit, Permittee shall perform activities in accordance with applicable air and water quality standards, related facility siting standards, and related plans of Implementation, including but not limited to standards, adopted pursuant to the Clean Air Act, as amended, 42 U.S.C. 1857 et seq., and the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1321 et seq.

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2.8.2 Water and Land Pollution

Permittees shall comply with applicable "Water Quality Standards" of the State of Alaska as approved by the Environmental Protection Agency.

Mobile ground equipment shall not be operated in lakes, streams or rivers unless such operation is approved in writing by the Authorized Officer.

2.8.3 Sanitation and Waste Disposal

"Waste" means all discarded matter, including but not limited to human waste, trash, garbage, refuse, oil drums, petroleum products, ashes and equipment.

All waste generated shall be removed or otherwise disposed of in a manner acceptable to the Authorized Officer. All applicable standards and guidelines of the Alaska State Department of Environmental Conservation, the United States Public Health Service, the Environmental Protection Agency, and other Federal and State agencies shall be adhered to by Permittee. All incinerators shall be used with maximum precautions to prevent forest and tundra fires. After incineration, material not consumed in the incinerator shall be disposed of in a manner approved by the Authorized Officer or AOFR.

2.9 Zones of Restricted Activities

Permittees' activities may be restricted by the Authorized Officer during periods of fish and wildlife breeding, nesting, spawning, lambing or calving activity and during major migrations of fish and wildlife. The Authorized Officer shall give Permittee written notice of such restrictive action.

2.10 Changes in Conditions

Unforeseen conditions arising during the life of the Permit, may make it necessary to revise or amend these Stipulations to control or prevent damage to the environment or hazards to public health and safety. In that event, Permittee and the Authorized Officer shall agree as to what revisions or amendments shall be made.

2.11 Right of the United States to Perform

If, after thirty (30) days, or in an emergency such shorter period as shall not be unreasonable, following the making of a demand therefore by the Authorized Officer, in the manner that is provided in Stipulation 2.61 through 4 for giving written notices, Permittees, or their respective agents, employees, contractors or sub-contractors (at any tier), shall fail or refuse to perform any of the actions required by the Authorized Officer, the United States shall have the right, but not the obligation, to perform any or all

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of such actions at the sole expense of Permittee. Prior to the delivery of any such demand, the Authorized Officer shall confer with Permittee, if he deems it practicable to do so, regarding the required action or actions that are included in the demand. The Authorized Officer, shall submit to Permittee a statement of the expenses incurred by the United States during the preceding six months in the performance by the United States of any required action and, in the absence of a dispute, the amounts shown to be due on each such statement shall be paid by Permittees. Permittees may dispute whether the work involved was an action required by these Stipulations, whether Permittee's failure or refusal to perform any such action was justified, as well as the reasonableness of the specifications for and the cost of, such work.

2.12 Term of the Permit

2.12.1 The Permit shall expire on December 31, 1983, unless extended or terminated in whole or in part, by the AO.

2.12.2 Termination

Termination of the Permit in whole or in part, at the discretion of the AO, may be accomplished by written notice to the Permittee.

III. Operational Stipulations

3.1 Personnel Housing and Transportation

3.1.1 Temporary Camps

All Permittee personnel may set up temporary camps utilizing tents for periods of up to one week per location. This provision is intended to facilitate study groups operating within the project area but not at or near the damsites.

3.1.2 BLM Personnel

Permittee will provide transportation for Bureau of Land Management (BLM) AOFR and one other BLM employee from Talkeetna to all field operations. No less than three days advance notice will be given through coordination with the APA FR in order to minimize helicopter requirements. Advance notice will include activities to be inspected and length of study at the camp.

Upon establishment of field camps, BLM AOFR will be furnished access to room and board as needed and if available. No less than three days advance notice will be given through coordination with the APA FR. APA will be reimbursed for room and board at the average daily cost per unit, which is not to exceed BLM per diem rate.

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3.1.3 Permittee Personnel (includes contractors and sub-contractors)

Transportation for Permittee personnel or Permittee's contractors involved in the daily drilling or study activities will be by helicopter or fixed-wing aircraft between the work areas and quarters for housing unless otherwise authorized by the AOFR.

3.2 Fuel and Transportation and Storage

3.2.1 Fuel Storage Sites

All fuel storage areas over 1,000 gallons capacity will be diked and lined with impervious material. Absorbent pads will be in close proximity of all drilling operations and fuel caches. Spill cleanup and containment devices shall be readily available.

3.2.2 State/EPA Regulations

Fuel Storage and Transportation will be in accordance with State of Alaska and EPA regulations.

3.3 Waste Disposal

3.3.1 State/Federal Regulation Compliance

Solid waste, waste water, sewage and garbage will be disposed of in accordance with State and Federal requirements and methods of disposal shall comply with standards set forth by the Department of Environmental Conservation, State of Alaska. Permits will be obtained by the Permittee as required by State of Alaska and Federal agencies.

3.4 Air Operations

3.4.1 Altitude Requirements

3.4.1.1 Routine

During all air operations, unless otherwise authorized by BLM, aircraft will maintain 1,000 feet altitude above ground level except during take off and landing operations or during restrictive weather conditions. Low level helicopter flights to supply drill sites will be allowed but shall be kept to a minimum and shall avoid known wildlife populations.

3.4.1.2 In Proximity of Wildlife

Aircraft will avoid disturbance of known wildlife populations and will maintain 1,000 feet

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elevation in their vicinity unless otherwise authorized.

3.4.1.3 Helicopter activity shall not be allowed within 1320 feet (0.25 mile) of any raptor nest between 15 March and 31 August.

3.4.2 FAA Regulation Compliance

All aircraft associated operations will be conducted in accordance with current Federal Aviation Administration regulations.

3.5 Foundation and Materials Exploration

3.5.1 Plan of Operations

A "Geotechnical and Seismological Exploration Plan" will be submitted by the Permittee on or before September 1 of each year which will cover activities from November 1 through April 30 of the following year. A similar plan will be submitted by the Permittee March 1 of each year which will cover the activities from May 1 through October 31. Supplemental details of operations to be conducted in 1980 will be furnished within three weeks of the signing of the permit by the AO.

3.5.2 Seismic Monitoring

All monitoring stations will be installed and maintained using helicopter access.

3.5.3 Access Road Studies

3.5.3.1 All clearing required will be using hand tools and be kept to a minimum.

3.5.3.2 Daily access to drill rigs for personnel and fuel will be using helicopter unless otherwise authorized.

3.5.3.3 Reconnaissance activities prior to drilling will be by helicopter.

3.5.3.4 All ground vehicles "off road" will be operated only when soils are frozen to a depth of six inches and there is one foot of snow cover, unless otherwise authorized.

3.5.4 Damsite Geology and Related Exploration Activities

3.5.4.1 Core drills will be sited and transported by helicopter unless otherwise approved by the Authorized Officer.

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3.5.4.2 All ground vehicles used in drilling activities will be operated only when soils are frozen to a depth of six inches and there is one foot snow cover.

3.5.4.3 BLM AOFR will work with the Permittee in developing the route schedule to exploration sites to minimize the environmental damage to the area.

3.5.4.4 Pumping (permeability) test, if conducted, will be conducted in accordance with an approved Plan of Operations for Foundations and Materials. The tests will be conducted so as to reduce surface disturbance and water quality impacts to a minimum. No ground water will be pumped directly into live streams. Prior to conducting any pump tests, the Permittee will furnish the BLM AOFR with a plan of pumping and location of discharge of pumped waters. In general, areas such as low depressions and small ponds will be selected for discharge of ground water.

3.5.4.5 Toxic material or sediments shall not be released in any lake or water drainage. Every effort shall be made to protect waterbodies from damage by erosion and unnatural drainage conditions. Criteria for compliance will be the "Alaska State Plan-Water Quality Standards for Interstate Waters within the State of Alaska," as revised.

3.5.4.6 All cased holes will be suitably capped to protect the public safety and the integrity of the test hole. No casing shall be left extending more than two feet above ground surface. All drill cuttings will be scattered to a depth of no more than two inches.

3.5.4.7 During break-up, when frost is going out, it will become necessary to temporarily curtail or modify operations involving the movement of ground vehicles. This condition will be determined jointly by the APA FR and the BLM AOFR.

3.5.5 Geophysical Investigations

3.5.5.1 Explosive charges will be limited to 50 pounds maximum. All seismic lines will be agreed upon in advance of field activity. Upon completion of testing activities, holes will be back filled.

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3.5.6 Trenching

3.5.6.1 All trenching activities will be done with a backhoe and upon completion of activity will be backfilled, revegetated, and graded to original contours. Rehabilitation shall be accomplished that the impact is substantially unnoticeable within five years after issuance of the permit.

3.5.7 Auger Drilling

3.5.7.1 Auger drilling will be sited and transported by helicopter when there is less than one foot of snow and six inches of frozen ground.

3.6 Fire Prevention/Suppression

3.6.1 Necessary Measures

Permittee shall take all measures necessary for the prevention of fires on the Permit area and on other Federal lands. This includes providing hand tools on site at the field camps for all personnel regularly working on the project.

3.6.2 Fire Suppression Restrictions

Permittee shall take immediate action to suppress any fire utilizing hand equipment or aircraft only.

3.6.3 Notification of Authorized Officer

Permittee shall immediately notify the Authorized Officer of any fire which threatens surrounding wildlands.

3.6.4 Ground Equipment Approval

No mechanized ground equipment shall be used in fire suppression without prior approval of the Authorized Officer of AOFR except as required to save lives.

3.7 Hydrological and Climatological Studies

3.7.1 Minimal Disturbance Requirement

All stations installed for hydrological and/or climatological monitoring shall be installed and operated with a minimum of surface disturbance and the least amount of visual attraction reasonably possible.

3.7.2 Access to Sites

All stations installed "off" road systems will utilize helicopter for access during installation, monitoring and demobilization.

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3.8 Biological Studies

3.8.1 Minimum Disturbance Requirement

All biological studies shall be conducted in a manner so as to create the minimum disturbance possible to the surface and/or the fish and wildlife resources being studied.

3.8.2 Access for Studies

Whenever possible throughout the study area not serviced by existing roads, the study personnel will use fixed-wing or helicopter aircraft for access.

3.9 Aerial and Land Surveying

3.9.1 Clearing

All clearing will be done by hand tools and kept to an absolute minimum.

3.9.2 Flagging Removal

All flagging, targets, and photo panels will be removed upon completion of the field study program.

3.9.3 Minimum Disturbance Requirements

All surveying activities shall be conducted in a manner so as to create the minimum disturbance possible to the surface, visual attraction, and wildlife resources.

3.9.4 Access to Sites

Whenever possible throughout the survey area not serviced by existing roads the survey personnel will utilize helicopter for access.

3.10 Demobilization

3.10.1 Demobilization Plan

A "Demobilization Plan" may be developed during the last year of the Permit as determined to be necessary by the Authorized Office.

IV. Resource Protection Stipulations

4.1 Cultural Resources

4.1.1 Archeological Services

By January 1 of each year of the Permit, a preliminary archeological report will be submitted to the Authorized Officer. After allowing 60 days for comments, an acceptable final report will be submitted to the Authorized Officer within 30 days. An acceptable report contains, at a minimum the following items:

1. Identification of the Federal Antiquities Permit under which the work was performed.
2. Identification of the project, and the BLM serial case file number, for which the report is being written.
3. Description of data review and field inventory methods used, intensity of field inventories, the names of individuals employed in the work, and the commencement and termination dates of field inventory.
4. A general background discussion of cultural resources of the area, as well as a brief summary of prehistoric and historic use of the area.
5. Identification and description, including drawings and photographs, of specific cultural resource sites and values found; evaluation of their significance; and whether such sites might be eligible for placement in the National Register of Historic Places with specific citation to qualifying criteria under 36 CFR 800.10.
6. Site inventory records (BLM Form 8110 or other acceptable form) completed for each cultural property inventoried with appropriate maps indicating the location of each site.
7. Suitable maps that clearly define all areas surveyed and intensity of survey in relation to identified cultural resources and the relationship of sites found to the project. Minimum acceptable base map should be USGS 15-minute series quadrangles or best available substitute.
8. Catalog of all cultural resource objects collected and indication of where they are stored, as well as disposition of original notes and records.
9. Identification of the probability of finding additional sites and their probable significance.

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10. Identification of the probably direct and indirect effects of the project upon known and unknown cultural resources.
 11. Professional recommendations to realistically mitigate the direct and indirect adverse effects upon cultural resources which will result from the project.

4.2 Threatened and Endangered Species

4.2.1 AOFR Notification

If in the course of any activities authorized by this Permit, any evidence of Peregrine Falcon occurrence, nesting habitat or disturbance of birds or habitat is discovered, the AOFR is to be immediately notified and any field operations which may affect the birds or habitat immediately suspended until further notice by BLM. BLM will contact U.S. Fish and Wildlife Service who will consult with the Peregrine Falcon Recovery Team.

4.2.2 Plant Species

No threatened or endangered plant species are known to be present on the project area. If any species currently proposed for protection under the Endangered Species Act are found to be present in the project area, any surface disturbing activities in that area will cease. BLM and U.S. Fish and Wildlife Service will be notified within two days and APA, USF&W and BLM will jointly provide protective measures to be followed.

4.3 Fish and Wildlife Protection

4.3.1 State Regulation Compliance

Any activities authorized by this agreement will comply with the requirement of Alaska State Regulation SAAC 81.218. These regulations make it unlawful to deliberately feed bears, wolves, foxes or wolverine or to deliberately leave human food or garbage in such a manner to attract such animals.

4.3.2 Harassment of Wildlife

Harassment or molesting of wildlife or destruction of known habitat is prohibited. Wildlife shall not be "herded," "buzzed" or otherwise harassed through use of aircraft or ground vehicles.

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4.3.3

Nuisance Animal Removal

If wild animals become a threat or nuisance, an immediate contact will be made with BLM AOFR and the Alaska Department of Fish and Game so the removal of the animal by Fish and Game or project alteration, can proceed. Permittee will stand the cost of animal removal activities in accordance with existing State/BLM agreements.

4.3.4

Blasting Limitations

No blasting shall be permitted underwater, or within one-quarter mile of streams or lakes, without review and approval from the Alaska Department of Fish and Game.

4.4 Visual Resources

4.4.1

Route Approvals

Overland movement of drilling or support equipment between drilling sites will take advantage of high ground and a sinuous travel route to avoid creation of a "straight line" surface disturbance pattern. BLM AOFR and APA FR will agree to the route in advance of equipment movement.

4.4.2

Clearing Restrictions

All clearing done for helicopter landing areas and drilling sites will be hand-cleared and will be kept to the minimum necessary within safety requirement.

4.4.3

Road Construction Restriction

No road or airstrip construction is allowed.

4.4.4

VRM Class II Restriction

Permittee shall conduct all activities so that the surface disturbance effects do not exceed VRM Class II. VRM Class II is defined as: "Changes in any of the basic elements (form, line, color, texture) caused by management activity should not be evident in the characteristics landscape. A contrast may be seen but should not attract attention."

4.5 Surface Resources

4.5.1

Surface Vegetation Protection

All equipment movement and drilling activities will be conducted in a manner so as to protect the surface vegetation resources.

4.5.2 Permafrost Protection

All activities shall be conducted in a manner to protect against any disturbance of permafrost laden soils.

4.5.3 Unacceptable Damages

If, in the judgement of the BLM AOFR, unacceptable damage to the surface vegetation resources is occurring as a result of equipment movement or exploration activity, those actions shall be stopped or altered so that surface damage is reduced to an acceptable level.

4.5.4 Wetlands Inventory

The Permittee shall cause compliance with Section 404 of the Clean Water Act and with U.S. Department of the Interior regulations which implement Executive Orders 11938 and 11990.

4.6 Surface Rehabilitation

4.6.1 Rehabilitation Approval

Rehabilitation of disturbed areas will be accomplished by Permittee at each location as soon as practicable upon completion of work. After joint inspection by BLM AOFR and APA FR and written acceptance by BLM AOFR of rehabilitation measures, no further work will be required of Permittee or its agents or contractors at each work location.

4.6.2 Test Pit, Trenching, Seismic, and Drilling Rehabilitation

All surface disturbing activities will be refilled, recontoured, and revegetated to reduce visual impacts and safety hazards. This rehabilitation shall be such that the impact is substantially unnoticable within five years after the issuance of the permit.

4.6.3 Stabilization Practices

All disturbed areas shall be left in a stabilized condition. Stabilization practices shall be determined by specific site conditions as agreed upon by BLM AOFR and APA FR.

Appendix B

LEGAL BASIS

The Susitna Hydropower Project is a federally licensed project for the State of Alaska. As such, the legal framework and authority for the consideration of cultural resources are spelled out in a number of Federal and State regulations. As early as 1906, the Antiquities Act (P. L. 59-209) directs the preservation of properties "of national, historical or archeological significance and authorizes interagency, intergovernmental, and interdisciplinary efforts for the preservation of such resources." The Reservoir Salvage Act of 1960 (P. L. 86-523) provides for the recovery and preservation of "historic and archeological data" that might be lost or destroyed as a result of the construction of federally funded or licensed dams, reservoirs, and attendant facilities and activities.

The Historic Preservation Act of 1966 (P. L. 89-655) declares it to be a national policy to preserve and protect historic and prehistoric sites, buildings, and objects of national significance. Continuing with this policy, the National Environmental Policy Act of 1969 (P. L. 91-180) requires evaluation of the effects of major federal actions on the environment including cultural resources. The Archeological and Historic Preservation Act of 1974 (P. L. 93-391) is an amendment to the Reservoir Salvage Act of 1960. The 1974 Act provides for the protection of historic and archeological sites:

...which might otherwise be irreparably lost or destroyed as a result of (1) flooding, the building of access roads, railroads and highways, and other alterations of terrain, caused by the construction of a dam by any agency and (2) any alteration of the terrain caused as a result of any federal construction project or federally licensed activity or program. (Sec. 1)

Section 7 of this Act authorizes that up to 1% of the total budget of a federally funded or licensed project may be allocated for archeological survey, recovery, analysis, and publication. The Alaska Historic Preservation Act of 1975 specifies that prior to any construction or public improvement by a State agency, or by a private concern under contract with or licensed by the State, cultural resources must be considered. Cultural resource preservation efforts are required by Federal and State law to satisfy licensing requirements for the Susitna Hydropower Project. These tasks are: 1) identification and documentation of cultural resources within project areas; and 2) formulation and explication of recommendations for mitigation for each historic or archeological site identified. However, it is also recognized that the initial studies essential to meet licensing requirements may have direct impact on cultural resources which may pose immediate adverse effects. Examples of such activities are construction of camps to house study personnel, test holes to locate proposed borrow areas, access roads to study locale, etc.

AGREEMENT BETWEEN THE ALASKA POWER AUTHORITY
AND THE INDIVIDUAL COOK INLET NATIVE VILLAGE
CORPORATIONS AND THE COOK INLET REGION, INC.
CONCERNING THE SUSITNA HYDROPOWER FEASIBILITY ANALYSIS

This agreement entered into on January 4, 1980, between the presidents of the undersigned individual Cook Inlet Native Village Corporations on behalf of the individual Cook Inlet Native Village Corporations and the president of the Cook Inlet Region, Inc. on behalf of the Cook Inlet Region, Inc. (hereinafter "Native Corporations") and the Alaska Power Authority (hereinafter the "Authority").

WITNESSETH THAT:

WHEREAS, the Authority desires a feasibility analysis of the Susitna Hydropower Project in the Susitna Basin on land described and set forth on the map at Appendix A attached hereto and made a part hereof; and

WHEREAS, some of said land has been selected by the Native Corporations under the Alaska Native Claims Settlement Act, 43 U.S.C. 1601, et seq., and the Native Corporations will soon receive interim conveyance and eventually patent to these lands from the federal government (hereinafter the lands in the Susitna Basin selected by and/or conveyed to the Native Corporations will be referred to as "lands of the Native Corporations"); and

WHEREAS, the Authority has provided the Native Corporations with a copy of the Plan of Study for the Susitna Hydropower Feasibility Analysis which describes the activities which will be performed on the lands of the Native Corporations in the Susitna Basin, and a copy of the environmental assessment prepared by the United States Army Corps of Engineers which assesses the impact of the feasibility analysis of the Susitna Hydropower Project on the lands of the Native Corporations; and

WHEREAS, the Authority will provide the Native Corporations with any plans of study, proposed or otherwise, for the Susitna Hydropower Feasibility Analysis and environmental assessments prepared by private business entities; and

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WHEREAS, the Native Corporations believe that the feasibility analysis of the Susitna Hydropower Project will eventually benefit their lands by providing them with valuable information concerning the biological, mineral, cultural, recreational and geophysical aspects of the land and the eventual construction of the Susitna Hydropower Project may significantly increase the value of the land; and

WHEREAS, the Alaska Power Authority has the authority to enter into this contract by AS 44.56.080 and the Board of Directors of the Authority has authorized the Executive Director to enter into a contract with the Native Corporations for the purpose of assuring the performance of the feasibility analysis in the Susitna study area; and

WHEREAS, the Boards of Directors of the individual Cook Inlet Native Village Corporations have authorized the undersigned presidents of the individual village corporations to enter into this contract with the Authority and the Board of Directors of the Cook Inlet Region, Inc. has authorized the president of the corporation to enter into this contract with the Authority.

NOW, THEREFORE, the parties agree as follows:

ARTICLE I.

1. The Native Corporations authorize the Authority, its contractors, subcontractors, agents, employees, successors, and assigns to perform all activities as generally described in the Plan of Study Prepared by ACRES American Corporation for the Susitna Hydropower Feasibility Analysis, attached hereto as Appendix B and made a part hereof, on lands described in Appendix A in the Susitna River Basin during the period of this contract.

2. The Native Corporations authorize the Authority, its contractors, subcontractors, agents, employees, successors, and assigns, to take material test samples during the feasibility study and the Native Corporations agree to make available to the Authority, its contractors, subcontractors, agents, employees,

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90501
P. O. BOX 1240
ANCHORAGE, ALASKA
99500
10071 170-0876

[Handwritten signatures and initials]
EPY
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successors, and assigns, so much sand and gravel as shall be necessary for the construction of the airstrip and field camp described in Appendix B and further authorize the Authority, its contractors, subcontractors, agents, employees, successors, and assigns, to construct a road from the gravel materials site to said camp and airstrip, all of which activities may take place on land of the Native Corporations during the period of this contract. To make available sand and/or gravel for the purposes above, the appropriate parties shall enter into a separate contract for such sand and gravel at a reasonable price.

Temporary structures utilized as camp facilities will be removed by the Authority at the termination of this agreement, unless the parties agree otherwise. Permanent structures and the airstrip and roads constructed will become property of the appropriate Native Corporations if the project does not appear feasible at the termination of the study. If the project appears feasible, the permanent camp facilities, roads and airstrip will remain available to the Authority for continued work in the project area based upon an extension to the present agreement or a new agreement. If the project is not feasible, the Native Corporations may direct the Authority, at no cost to the Native Corporations, to remove either all or any part of the permanent structures and/or make the roads and airstrip unserviceable without requiring the removal of gravel pads or foundation material. The permanent improvements will not be considered in the fair market value of Native land which may be acquired as a result of condemnation, in lieu lands, or land trade with the state if the project proves feasible, providing said condemnation in lieu lands, or land trade is made within three (3) years of the study submitted to the Governor or other appropriate public authorities. After conveyance, the Native Corporations jointly and severally shall indemnify and shall hold and save the Authority harmless from liability of any nature or kind, including costs and expenses, for or on account of any or all claims which

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P. O. BOX 1840
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99501
(907) 279-6074

may arise subsequent to the date of acceptance of the conveyance and which concerns the permanent structures and airstrip constructed on Native land which the Native Corporations elect to receive intact as a result of a determination that the project is not feasible and this contract expires or terminates.

3. In full consideration for the authorization contained in Paragraphs 1 and 2 above, the Authority agrees as follows: (a) To provide, at no cost, three (3) copies of all final reports derived from the study activities associated with the feasibility analysis of the Susitna Hydropower Project to the Native Corporations in a timely manner as the reports become available. If other information is sought by the Native Corporations, and is readily available, the Authority shall provide it, or access thereto.

(b) To hire a full-time inspector (hereinafter "Inspector") to be selected by the Native Corporations subject to the approval of the Authority, which approval may not be unreasonably withheld, at a salary as a partially exempt employee and with all employee benefits commensurate with salary Range 22, Step A, of the General Government Salary Schedule A of the Department of Administration of the State of Alaska during the period of the study. The initial job description of the Inspector shall include, but not be limited to, the responsibilities described in Appendix C, and may be modified from time to time by mutual agreement of the parties. Travel, office and telephone expenses of the Inspector under this contract will be approved and reimbursed in the same manner and rate as that of other employees of the Authority. (The Authority's obligation to hire and reimburse the Inspector does not begin until he has been selected by the Native Corporations, approved by the Authority, and funds are made available by the Governor of the State of Alaska for expenditure on the project. Disagreement among the Native Corporations concerning selection of the Inspector will not be grounds for termination of this contract by any party to the

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99501
10071 270-0574

contract or grounds for a claim against the Authority for failure to hire or reimburse the Inspector. A majority of the Native Corporations or the Authority may terminate the Inspector for any reason whatsoever, and the parties shall hire a new full-time Inspector within thirty (30) days of the termination.

(c) To pay a total surface land/non-exclusive use rental of \$3,000.00 per month for said non-exclusive use of the lands described in Appendix A of the Village Corporations during the period of the study. The Authority shall pay the non-exclusive land use rental to United Bank of Alaska (hereinafter called the "Escrow Agent") by certified check to the order of the Escrow Agent, with the initial pro rata payment beginning with the first day of the execution of this agreement, with monthly payments thereafter to begin on the last day of each month for the next month's rental. The non-exclusive land use rental deposited with the Escrow Agent shall be held by the Escrow Agent until the Village Corporations reach a separate agreement which shall direct the Escrow Agent how to distribute the said land use rental. The Authority fulfills its obligation to pay the said land use rental by timely payment of the rental to the Escrow Agent. The Village Corporations jointly and severally shall indemnify and shall hold and save the Authority harmless from liability of any nature or kind, including costs and expenses, for or on account of any or all suits or claims which may arise concerning the distribution of the said land use rental to the individual Village Corporations for the land described in Appendix A. Disagreement among the Village Corporations concerning distribution of this rental to the individual Village Corporations will not be grounds for termination of this contract by any party to the contract or grounds for a claim against the Authority for failure to pay the said land use rental.

(d) To reimburse the Native Corporations for reasonable attorney's or business advisor's fees actually incurred by them in the negotiation and drafting of this contract, not to exceed the sum of \$14,000.00. Each Native corporation requesting

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99510
10071 270-0076

reimbursement for costs and such fees shall send a cost bill to the Authority within ten (10) days after signing this contract. The cost bill shall distinctly set forth each item claimed in order that the nature of the charge can be readily understood. It shall be verified by the oath of the party, or his agent, attorney or advisor or of the clerk of such attorney or advisor, stating that the items are correct, that the services have been actually and necessarily performed, and that the disbursements have been necessarily incurred in the negotiation and drafting of this contract. Failure of a Native Corporation to file its cost bill with the Authority as required above shall be construed as a waiver of its right to recover costs and fees.

ARTICLE II.

The period of performance under this contract shall commence when the Governor makes the funds available, or January 1, 1980, whichever occurs first in time, and the contract shall expire forty-eight (48) months later. This contract shall be null and void if the Governor has not made funds available as of January 1, 1980, but this Agreement or performance hereunder may be extended for additional periods by the mutual written agreement of the parties.

ARTICLE III. Additional Contract Provisions.

1. Inspection.

(a) The Inspector shall have the right to inspect, at all reasonable times as he deems appropriate, and in a reasonable manner, all activities of the Authority, its contractors, subcontractors, agents, employees, successors and assigns, arising in the course of its undertakings under this contract which take place on land or affect land of the Native Corporations. The Inspector shall submit written monthly reports to the Native Corporations, with copies to the Authority. In addition, any matters of concern of immediate importance shall also be reported to the Authority and the Native Corporations without unnecessary delay.

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ITALY & DELUSIO, INC.
202 WEST 8TH AVENUE
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SUITE
P. O. BOX 1040
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99501
10071 378-0074

(b) In addition to the inspection rights provided in subsection (a) above, the Native Corporations shall have the right to inspect, at the expense of the Authority, on an annual basis and in a reasonable manner, all activities of the Authority, its contractors, subcontractors, agents, employees, successors, and assigns, arising in the course of its undertakings under this contract which take place on land of the Native Corporations. Provided, however, further inspections by the Native Corporations may be made at the sole expense of the said Native Corporations or their designee.

2. Native Corporations Saved Harmless.

The Authority shall indemnify and shall hold and save the Native Corporations harmless from liability of any nature or kind, including costs, expenses and attorney's fees, for or on account of any or all suits or damages of any character whatsoever resulting from injuries or damages sustained by any person or persons or property by virtue of any act of the Authority or its contractors, subcontractors, agents, employees, successors, or assigns of the Susitna Hydropower Feasibility Analysis, or by reason of its being upon the land described in Appendix A or any other land used by the Authority in its feasibility analysis. . . . Provided, however, any act constituting liability by a subcontractor, wholly or partially owned by a Native Corporation, is an exception to this indemnification provision as to that particular Native Corporation.

3. Injury to Land of the Native Corporations.

The Authority, its contractors, subcontractors, agents, employees, successors, or assigns shall not waste, or commit unreasonable damage or injury to the land or products of the land of the Native Corporations by virtue of the performance of the Susitna Hydropower Feasibility Analysis.

4. Equal Employment Opportunity.

(a) The Authority will not discriminate against any employee or applicant for employment because of race, color,

religion, national origin, ancestry, age or sex. The Authority will take affirmative action to insure that applicants are employed and that employees are treated during employment without regard to their race, color, religion, national origin, ancestry, age or sex. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training including apprenticeship. The Authority agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.

(b) The Authority shall state, in all solicitations or advertisements for employees to work on the project, that all qualified applicants will receive consideration for employment without regard to race, color, religion, national origin, ancestry, age or sex. A copy of these provisions will be sent to the Native Corporations.

(c) The Authority will send to each labor union or representative of workers with which the Authority has a contract or understanding a notice advising the said labor union or workers' representative of the Authority's commitments under this section, and shall post copies of the notice in conspicuous places available to all employees and applicants for employment.

(d) The Authority will include the provisions of Paragraphs (a) through (c) of this Section in every contract, and will require the inclusion of these provisions in every subcontract entered into by any of its subcontractors, so that such provisions will be binding upon each subcontractor, as the case may be.

(e) The Authority agrees that it will fully cooperate with the office or agency of the State of Alaska which seeks to deal with the problem of unlawful or invidious discrimination, and with all other State efforts to guarantee fair

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ALEY & DELSIO, INC.
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employment practices under this contract, and said Authority will comply promptly with all requests and directions from the State Commission for Human Rights or any of its officers or agents relating to prevention of discriminatory employment practices, except such orders or requests as it elects in good faith to contest in any appropriate proceeding.

(f) Full cooperation as expressed in clause (e) foregoing shall include, but not be limited to, being a witness in any proceeding involving questions of unlawful or invidious discrimination if such is deemed necessary by any official or agency of the State of Alaska, permitting employees of said Authority to be witnesses or complainants in any proceeding involving questions of unlawful or invidious discrimination, if such is deemed necessary by any official or agency of the State of Alaska, participating in meetings, submitting periodic reports on the equal employment aspects of present and future employment, assisting in inspection of the study site, and promptly complying with all State directives deemed essential by any official or agency of the State of Alaska to insure compliance with all Federal and State laws, regulations and policies pertaining to the prevention of discriminatory employment practices.

(g) Failure to perform any of the above agreements pertaining to equal employment opportunities shall be deemed a material breach of the contract.

(h) The Authority adopts the goals for minority hire as outlined in the Alaska Plan in effect as of the date of this agreement.

The responsible officer overseeing compliance with such fair practice and non-discrimination provisions shall be the Executive Director of the Authority. The Executive Director shall report to the State Commission for Human Rights whenever discriminatory practices are brought to his attention.

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TALLEY & OLLISON, INC.
642 WEST 5TH AVENUE
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P. O. BOX 3600
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19071 270-0074

5. Minority Hire and Contracting.

(a) The Authority agrees to implement meaningful and realistic opportunities for employment on the Susitna Hydropower Feasibility Analysis to those persons who are enrolled in the Native Corporations or their spouses or children, provided such persons are qualified. The Authority agrees to adopt the goals for minority hire outlined in the Alaska Plan and agrees to make a good faith effort to implement those goals.

(b) It is the policy of the Authority that business concerns or other entities owned or controlled in whole or in part by signatories of this contract shall have the maximum practicable opportunity to participate in the performance of contracts let by the Authority. Except as may be inconsistent with applicable Federal, State or political subdivisions' laws and regulations, the Authority hereby adopts a goal that not less than ten percent (10%) of the total dollar value of the feasibility study cost or twenty percent (20%) of the total dollar value of subcontracts to be awarded, whichever is greater, for the Susitna Hydropower Feasibility Analysis go to the undersigned Native Corporations or their joint ventures for work in which they are qualified. An undersigned Native Corporation or joint venture is considered qualified when qualifications, experience, or specific performance has demonstrated the firm's capability to perform the service. For bid contracts, an undersigned Native Corporation or joint venture qualified to perform the services will be considered competitive if the Corporation's bid is within 10% of the low bid for the contract.

(c) The Authority hereby agrees to carry out this policy in the awarding of contracts for the feasibility analysis of the Susitna Hydropower Project to the fullest extent consistent with the efficient performance of the Project. Specifically, the Authority agrees to expressly incorporate the policies set forth in Paragraphs 5(a) and 5(b) herein in any and all contracts, documents, commitments and any other actions with agencies or

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00010
10071 175-0076

entities participating in implementing the plan of study for the Susitna Hydropower Feasibility Analysis.

6. Disputes.

Except as otherwise provided in this contract, any dispute arising under this contract which is not disposed of by agreement shall be decided by the Superior Court Administrator for the Third Judicial District in the first instance, or if he cannot serve, such other third person as the parties may mutually agree may act as an informal arbitrator. As an informal arbitrator, the third person shall reduce his decision to writing and mail or otherwise furnish a copy thereof to the Native Corporations and the Alaska Power Authority. The written decision of the informal arbitrator shall be made within three (3) days of the meeting of the parties and shall be final and conclusive unless, within fifteen (15) days from the date of receipt of such copy, the Native Corporations or the Alaska Power Authority, mails or otherwise furnishes to the other party a written appeal. The appeal shall then be decided by formal arbitration. Pending final decision of a dispute hereunder by arbitration, performance under the contract shall continue in accordance with the decision of the third party, except that seasonal type performance may go forward as determined by the Executive Director of the Authority, even if contrary to said decision; provided it is further understood that in so doing if the Native Corporation(s) is or are the prevailing party under the formal arbitrator's decision, it shall be entitled to recover any and all damages receivable by statute or under common law. Such formal arbitration shall be conducted before an arbitrator or arbitrators agreed to by the parties, or, if no agreement can be reached, by an arbitrator designated by the American Arbitration Association. The award of the arbitrators shall be binding, final, and conclusive on the parties. A Native Corporation may not be a party to a dispute which does not affect land which has been conveyed to, or if there has not been a conveyance selected by, that Native Corporation unless the dispute

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STALEY & GELWIG, INC.
600 WEST 5TH AVENUE
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P. O. BOX 1000
ANCHORAGE, ALASKA
00010
1967 170-0074

concerns a matter or common question which is generally applicable to all the Native Corporations. All other disputes under the contract, other than between Native Corporations, shall only proceed to arbitration if a majority of the Native Corporations join therein against the Authority. All arbitration proceedings hereunder shall be conducted in the City of Anchorage, unless it is necessary for the Arbitration Board to visit the site of the Susitna Hydropower Project in order to determine the matter under dispute. The provisions of this arbitration clause are subject to the Uniform Arbitration Act, AS 09.43.010, et. seq.

7. Termination.

The Executive Director, by written notice, may terminate this contract at any time if the Board of Directors of the Alaska Power Authority decides to terminate the Project; providing the Authority adheres to the provisions of Article I, Paragraph 2, relating to the disposition of temporary and permanent structures, camp facilities, roads and/or air strips. The notice becomes effective thirty (30) days from the date of mailing. The Authority shall be liable only for payments in accordance with the payment provisions of this contract which are due prior to the effective date of termination.

8. Notices.

All notices required or permitted under this contract shall be made by certified mail, postage prepaid, to the parties at the addresses listed below each party's signature at p. 13 of this contract.

9. Governing Law.

This contract shall be governed by the laws of the

ERDZS, SCHABLER,
LEY & DELSIO, INC.
15 WILFORD AVENUE
TH & "R" BUILDING
99508
P. O. BOX 1040
ANCHORAGE, ALASKA
99510
0071 270-0874

State of Alaska.

IN WITNESS WHEREOF, the parties have executed this

contract.

NATIVE CORPORATIONS:

ALASKA POWER AUTHORITY

E. Agnes (Brown)
President
Tyonek Native Corporation
445 East 5th Ave., Suite 9
Anchorage, Alaska 99501

Date: 1-4-80

S. P. Yell
Executive Director
Alaska Power Authority
333 West 4th Ave., Suite 31
Anchorage, Alaska 99501

Date: 1-4-80

515
President
Chickaloon-Moose Creek Native
Association, Inc.
2600 Fairbanks Street
Anchorage, Alaska 99501

Date: _____

Dept. of Commerce & Economic Development

Bertram L. Wagoner
Bertram L. Wagoner, Deputy Commissioner

Date: 1/15/80

515
President
Salasneff Native Association, Inc.
P. O. Box 2682
Kenai, Alaska 99611

Date: _____

Approved:

Loring F. Bracken
Dept. of Administration

Date: Jan 17, 1980

515
President
Seldovia Native Association, Inc.
Box 185
Seldovia, Alaska 99663

Date: _____

W. J. Smith
President
Busia 055 Advisor
Knikatu, Inc.
P. O. Box 2130
Wasilla, Alaska 99687

Date: 7/4/80

515
President
Ninilchik Native Association, Inc.
P. O. Box 174
Ninilchik, Alaska 99639

Date: _____

Raymond H. Hensley
President
Cook Inlet Region, Inc.
P. O. Drawer 4-N
Anchorage, Alaska 99509

Date: 1/4/80

HEROES, SCHMIDT
ALEY & OLLISON, INC.
640 WEST 5TH AVENUE
CITY OF "H" BUILDING
00000
P. O. BOX 2000
ANCHORAGE, ALASKA
00000
(907) 570-0070

Appendix A

1) The primary activities, which include field investigations and construction work and comprise approximately eighty percent (80%) of the activities set forth in Appendix B to be performed by the Alaska Power Authority, its contractors, subcontractors, agents, employees, successors and assignees shall be restricted to the following described lands:

Seward Meridian

T. 32 N., R. 1 W.,
Secs. 25-36,
All;

T. 32 N., R. 1 E.,
Secs. 30-34,
All;

T. 32 N., R. 2 E.,
Secs. 27, 32-36,
All;

T. 32 N., R. 4 E.,
Secs. 25, 34-36,
All;

T. 32 N., R. 5 E.,
Secs. 25-28, 30-36,
All;

T. 32 N., R. 6 E.,
Secs. 25-29, 31-36,
All;

T. 32 N., R. 7 E.,
Secs. 30 & 31,
All;

Sec. 32,
All, South of Susitna River;

T. 31 N., R. 1 W.,
Secs. 1-6,
All;

T. 31 N., R. 1 E.,
Secs. 1-6, 10-12,
All;

T. 31 N., R. 2 E.,
Secs. 1-14, 23-26,
All;

T. 31 N., R. 3 E.,
Secs. 13-30,
All;

T. 31 N., R. 4 E.,
Secs. 1-3, 9-11, 14-16, 19-22, 27-30,
All;

T. 31 N., R. 5 E.,
Secs. 1-10, 15-18,
All;

MRJ
EPY
RHS

T. 31 N., R. 6 E.,
Secs. 1, 5 & 6,
All;

T. 31 N., R. 7 E.,
Secs. 2-4, 12,
All, South of Susitna River;
Secs. 5 & 6, 11,
All.

2) Any secondary activities may be performed by the Alaska Power Authority, its contractors, subcontractors, agents, employees, successors and assignees on those lands of the Cook Inlet Native Corporations within the Upper Susitna Basin not described above. The term "Secondary activities" as used herein shall be defined as field investigations comprising approximately twenty percent (20%) of the work set forth in Appendix B and not causing significant environmental impact to the natural condition of the lands.

3) The Cook Inlet Native Corporations and Cook Inlet Region, Inc. do not object to the Alaska Power Authority, its contractors, sub-contractors, employees, agents and assignees performing those activities set forth in Appendix B on those lands located within one half mile of the Susitna River that have been selected by the Cook Inlet Native Corporations or Cook Inlet Region, Inc. and are not described in paragraphs 1 and 2 above.

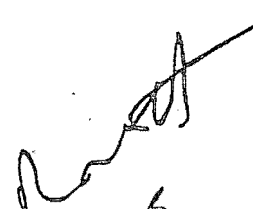
APPENDIX C

Position: Project Inspector

Initial Salary: \$2,794.00/month, plus benefits

Responsibilities:

Inspect the activities described in the Susitna Hydroelectric Plan of Study on behalf of the Cook Inlet Corporations with interest in lands of the Upper Susitna Basin. Insure that the study activities are performed in a manner that will not result in significant long-term impacts on the land or the environment. Monitor activities to advise the Alaska Power Authority and the Native Corporations of measures to minimize impacts on the land. Work with the Alaska Power Authority, its contractors, subcontractors, agents, and assigns to promote minority hire and contracting practices for work to be performed on the Susitna Hydroelectric Feasibility Analysis. Submit written reports to the Native Corporations and the Alaska Power Authority on a monthly basis on the status of study activities, problems that are identified, and activities of the inspector in the performance of his responsibilities. Coordinate inspection visits by the Native Corporation representatives to the project site with the Alaska Power Authority, and assist the Alaska Power Authority in its compliance with the provisions of the Agreement between the Power Authority and the Native Corporations.



DATED: August 23, 1979

RESOLUTION

WHEREAS, Tyonek Native Corporation, Inc. and the Alaska Power Authority, a legal entity, are agreed to enter into a certain agreement regarding a certain study, and

WHEREAS, Tyonek Native Corporation, Inc. has agreed to allow Alaska Power Authority to go onto certain property, subject to an agreement being executed.

NOW THEREFORE be it agreed as follows:

1. Agnes Brown as Chairwoman and President of Tyonek Native Corporation, Inc. is authorized to sign and execute any agreement between Tyonek Native Corporation, Inc. and Alaska Power Authority; and

2. To negotiate the terms and conditions thereof so that the best interest of Tyonek Native Corporation, Inc. are properly served.

TYONEK NATIVE CORPORATION, INC.

By: D. Agnes Brown
President

Seraphim Stephan Jr.
Secretary

The Secretary, SERAPHIM STEPHAN JR., hereby certifies that the above is a true and correct copy of the Resolution made at a regularly scheduled meeting of Tyonek Native Corporation, Inc. held on August 23, 1979 at Anchorage, Alaska.

Seraphim Stephan Jr.
Secretary

DEC 26 1979

ALASKA POWER AUTHORITY

333 WEST 4th AVENUE • SUITE 31 • ANCHORAGE, ALASKA 99501

Phone: (907) 277-7641
(907) 276-2715

December 21, 1979

Ms. B. Agnes Brown, Chairman
CIRI Village Presidents
Tyonek Native Corporation
445 East 5th Avenue, Suite 9
Anchorage, Alaska 99501

Dear Agnes:

Mr. Camero had requested that we provide a synopsis of the activities to be performed during the Susitna Feasibility Analysis. It will be difficult to synopsise these activities in the two pages requested, and consequently, I would recommend you review the ACRES Executive Summary of the plan of study for a more detailed rendering of activities. Obviously, the activities which are of most interest to you are those which require field data acquisition. It is those activities that I will limit my summary to. The activities can generally be broken into broad categories: Surveys and Site Facilities; Hydrology; Seismic Studies; Geotechnical Explorations; and Environmental Studies.

Site facilities at Watana will be semi-permanent with sufficient capability to support up to 60 people. Devil Canyon facilities would consist of a 20-man tent camp. Both camps will contain necessary life support services as well as area infrastructures. In lieu of the above, the possibility of utilizing area lodges will be explored. Transportation at the dam sites will be by helicopter and surface vehicles. If shown to be feasible, an airstrip will be constructed at the Watana dam site. Construction associated with the above efforts will require the use of available burrow materials. Ground truthing will be necessary for all aerial photography and photogrammetric mapping.

Impacts resulting from hydrologic investigations will be primarily associated with data acquisition. This activity will require the following installations: three streamflow recording stations; eight staff gauges; four sediment samplers; four snow courses; three water quality stations; seven climatic stations; three cloud ice samplers; three freezing rain samplers; three snow creep stations; and twelve ice penetrometers. The above stations will require periodic site visits for data collection, installation, and maintenance. Other items under hydrology will include soil and vegetation mapping, both requiring sampling techniques and ground truthing. The objective of this task is to undertake and report on all hydrologic, hydraulic, ice, and climatic studies.

Seismic studies will be conducted to determine earthquake ground motion which will provide design criteria. To accomplish this, a localized micro-earthquake recording network will be installed. This will include ten records located within 30 miles of dam sites. Helicopter support will be used for installation and maintenance. Seismic geologic field studies will include trenching of selected features, borings, test pits, and seismic refraction

lines. Surveys of access roads and transmission line routes will be conducted to catalogue soils susceptible to seismically induced failure.

The geotechnical investigations will serve to determine surface and subsurface geology and geotechnical conditions. This program will consist of auger drilling and sampling, test trenching, and seismic refraction. The tentative schedule of activities are presented in Task 5 in the plan of study. The program is laid out in some detail on Tables A-5.3 and A-5.4. Emphasis will be placed on locating and studying adverse geological features. Such features will include faults, excessive depths of overburden in riverbeds and buried channels which will significantly affect the design and cost of a dam project at a given site. The exploratory investigations for construction materials will comprise geologic mapping, portable auger drilling, and geophysical seismic refraction surveys. It is strongly suggested that you consult the plan of study for a fuller understanding of the activities to be conducted under this subtask.

The environmental studies is a comprehensive effort in the disciplines of socioeconomic, archeological and historical resources, geology, land use and recreation, water resources, fish ecology, wildlife ecology, and plant ecology. One of the major elements under environmental studies is to insure that surface disturbing activities resulting from accomplishment of this plan are kept to essential minimums. The water resources analysis will require input from the engineering studies, water quality assessments, and geotechnical explorations. The socio-economic analysis will require little direct impact on native selected lands, however, like the water resources analysis, it will require data input from other activities that may directly impact the land. The cultural resource investigation will include reconnaissance level investigations of potential impact areas, and intensive testing of archeological and historic sites discovered during reconnaissance efforts. Fish studies will include an evaluation of the contribution of the Susitna River salmon population to the Cook Inlet fisheries, distribution and movement of adult and juvenile salmon in the lower Susitna, a search for endangered species, and fish stock inventory above the proposed dams. The wildlife studies will be aimed primarily at the habitat and habits of moose, caribou, bear, wolf, wolverine, and Dall sheep. Also to be studied, will be the ecology of birds and small animals. The plant ecology baseline studies will map and characterize the vegetation and habitat types occurring in the areas to be affected by the proposed project and to predict impacts that will result from the proposed facilities. Finally, the environmental studies will provide input into the selection of transmission and access road routes which will be environmentally sound.


It is obvious that this capsulization of the Susitna plan of study cannot fully describe the scope of the entire efforts. Therefore, it is strongly suggested that the original plan of study developed by the Corps of Engineers and ACRES be consulted for a more thorough understanding of the activities to be carried out in the Upper Susitna Basin. It is probable that I did not cover many of the items in this letter that, in fact, are to be conducted and are described in

12/21/79

the plan of study.

If you have any questions or would like clarification, please do not hesitate to call on me.

Sincerely,

A handwritten signature in dark ink, appearing to read "Eric P. Yould". The signature is fluid and cursive, with the first name "Eric" and last name "Yould" clearly distinguishable.

Eric P. Yould
Executive Director

RESOLUTION

WHEREAS, Tyonek Native Corporation, Inc. and the Alaska Power Authority, a legal entity, are agreed to enter into a certain agreement regarding a certain study, and

WHEREAS, Tyonek Native Corporation, Inc. has agreed to allow Alaska Power Authority to go onto certain property, subject to an agreement being executed.

NOW THEREFORE be it agreed as follows:

1. Agnes Brown as Chairwoman and President of Tyonek Native Corporation, Inc. is authorized to sign and execute any agreement between Tyonek Native Corporation, Inc. and Alaska Power Authority; and

2. To negotiate the terms and conditions thereof so that the best interest of Tyonek Native Corporation, Inc. are properly served.

TYONEK NATIVE CORPORATION, INC.

By: B. Agnes Brown
President

Sarahma Stepanian
Secretary

The Secretary, SARAHMA STEPANIAN, hereby certifies that the above is a true and correct copy of the Resolution made at a regularly scheduled meeting of Tyonek Native Corporation, Inc. held on August 23, 1979 at Anchorage, Alaska.

Sarahma Stepanian
Secretary

Court rules Native contractors be given preference

Anchorage - A federal judge ruled Monday that the rights of non-Native contractors were not violated by the U.S. Department of Housing and Urban Development (HUD) last month when HUD excluded them from bidding on \$60 million in subsidized Native Housing contracts.

District Court Judge James Fitzgerald ruled that HUD's decision was acceptable because it applies only to contracts involving Native housing authorities, and because it is a direct attempt to correct previous discrimination against Native contractors.

The ruling is certain to be appealed.

"I conclude that it is a constitutionally permissible means of allowing Indians participation in their own affairs," Fitzgerald ruled. He added that the preference did not violate the constitution since the racial classification serves a compelling government interests.

The Alaska Chapter of the Associated General Contractors had asked the court to block the NANA Regional Housing Authority, Kodiak Island Regional Housing Authority and the Association of Village Council Presidents from awarding any of the contracts unless all contractors - both Native and non-Native - could bid on the housing projects.

At issue are contracts for \$60 million in low-cost housing scheduled for construction in villages across rural northcentral Alaska.

Attorneys for the contractors argued that the preference is illegal because it discriminates by race, but attorneys for the native groups contended that the preference is legal because of the Natives' "special trust relationship" with the federal government since the 1800's.

Fitzgerald agreed that the exclusion was based solely on race, but he held the preference for Native contractors to be just one step toward the atonement for past treatment of Natives.

"That sufficient findings of adverse effects of prior discrimination against Indians have been made is clear," ruled Fitzgerald. "The federal policy of controlling the political and economic affairs of Indians has served to exclude them from opportunities generally available to other citizens."

He said that the U.S. Congress has slowly attempted to improve the Native's plight with preferential legislation. Congress made such an attempt in 1975 when it passed the Indian Self-Determination and Education Assistance Act. HUD backed the move with an administrative rule requiring, whenever possible, the use of Native-owned business for federally funded Native projects.

Last week Fitzgerald said he expected an appeal regardless of who he ruled for. He has already asked the Ninth Circuit Court of Appeals to expedite its review of any appeal.

TYONEK NATIVE CORPORATION

912 East 15th Avenue, Suite 200

Anchorage, Alaska 99501

(907) 272-4548

April 6, 1981

Mr. Eric Yould, Executive Director
Alaska Power Authority
333 West 4th Ave., Suite 31
Anchorage, Alaska 99501

Dear Mr. Yould;

We fully support the Southern Road (Access Route A) as preferable to our affected villages. There is, as we understand, some possibility of a railroad from Gold Creek to Watana being a part of the construction activity. Our feelings are that permanent access to the damsites should be by road. If, then, the railroad is built to support construction activities we feel the roadbed should be converted after construction into a permanent road access to the Parks Highway.

Employment of Alaskans in maintenance and operation positions on the Susitna Dam Projects is also of importance to our villages. We feel the Power Authority should establish a training program to allow our shareholders, as well as Alaskans in general, to be trained for operations positions. This training should commence early enough so that newly trained technicians would be available for initial start up of the facility.

We would be pleased to meet with you to recommend procedures and assist in establishment of training guidelines.

Sincerely,



B. Agnes Brown
Chairman, CIRI Village Presidents



United States Department of the Interior

2920/013

BUREAU OF LAND MANAGEMENT

Anchorage District Office
4700 East 72nd Avenue
Anchorage, Alaska 99507

APR 15 1982

Alaska Power Authority
Board of Directors
334 West Fifth Avenue
Anchorage, Alaska 99501

Gentlemen:

The Bureau of Land Management appreciates the opportunity to address and comment to this board on the proposed Susitna Hydroelectric Project. Curt McVee, Alaska BLM State Director regrets that he is unable to attend and comment today due to other commitments. I am Dick Vernimen, Associate District Manager, BLM Anchorage District.

Since the Anchorage District will be the office making the recommendations on the project I will be speaking from that position.

The BLM's charge as a multiple-use agency is to allow the use of the public lands to its highest capacity and values and to mitigate impacts where possible. In the case of this project we are involved with a mixed land pattern requiring us to act as interim land managers in regards to unconveyed Native and State selected lands. Our charge is the same but the land status requires more concurrence concerning decisions on what is allowed to happen on these lands.

Based on what we know about the project today from reviewing documents and meetings with both ACRES and APA we do not foresee any reason why the continuation of project development should not proceed. We offer the following information for your use:

1. Pioneer Road Routes.

As we understand the situation, for those routes that originate either on the Alaska Railroad or the Parks Highway, the Pioneer Road would have to be constructed during the years 1983-1984 in order to arrive at improved access during 1985 and early 1986, which would then provide for a state of continuous access from the middle of 1986 onwards. The Pioneer Road concept requires road rights-of-way and related permits during the year of 1982 which is prior to the FERC licensing process. There are obviously several problems with the Pioneer Road concept. As we now understand the situation, they are as follows:

1. Early construction of the Pioneer Road would have to be permitted by a BLM right-of-way that would require an environmental impact statement separate from those documents now being prepared for the project. Approaching the Pioneer Road Project in a separate EIS without evaluating the entire Susitna Project may lead to a legal challenge of piecemealing a bigger project. In other words, we could be challenged that the road is merely a part of a larger overall hydroelectric project which should be analyzed at one time.
 2. The Pioneer Road would deviate from the location of the final access road particularly on the route south of the Susitna River between Devil's Canyon and the Watana site.
 3. The Pioneer Road concept requires decision making by the Cook Inlet Native Corporation, State of Alaska, and the Bureau of Land Management, prior to licensing by FERC. We are very much concerned that a decision on the pioneer road may lead to serious environmental and economic consequences prior to the actual licensing of the project. While it is not likely a FERC license will be denied after the feasibility of the project has been established, time has a way of changing the values set by many of our past decisions and we as separate agencies cannot take the Pioneer Road concept lightly. There are three other aspects of the Pioneer Road concept we should mention. Those are: 1) it is very likely a Section 10 permit will be required for crossing navigable waters (Susitna River), 2) a Section 404 permit for wetlands will be required from the Corp of Engineers, and 3) the decision on the Pioneer Road concept will be elevated to the level of the Secretary of the Interior. All of the mentioned problem areas take time and, as time is of the essence, it is extremely important that, if a route is chosen that requires Pioneer Road construction, that the decision be made as early as possible and that the application for right-of-way and other permits be made to the Department of Interior and Department of Defense agencies at the earliest possible moment.
2. Environmental Impacts:
- We are concerned about the relative environmental tradeoffs that must be made if this project is to be constructed. We cannot at this time recommend to you a preferred access route and mode. There are obviously some routes however that pose relatively higher environmental costs. Those routes

are the one south of the Susitna River between Devil's Canyon and Watana and secondly, the corridor paralleling the Indian River. Also of significant environmental concern is the route proposed south from the Denali Highway. The impact here is somewhat mitigated by the western route as opposed to the route via Butte Lake. It is still unclear as to the relative magnitude of the impact on caribou posed by the western route south from the Denali Highway. While we are concerned as to the impact on that caribou herd, we feel that the environmental tradeoff in question is one of impacts on the caribou herd versus the impacts of more productive habitats in the area of Indian River or Fog Lakes area. From an environmental standpoint, the route southerly from the Denali Highway seems preferrable from the aspect of minimizing disturbance of productive habitat. The route from the Denali, however, poses a secondary impact, that of human access to the project area after construction. Public access to the project area is a two-edged sword. We recognize that the Watana Project may provide a valuable recreation source for people of the southcentral Alaska. It is also recognized however, that public recreation can be a very destructive activity. We submit that control of the access, the State Game Laws, and the project management, after construction, are tools that can be used to manage the adverse effects of increased recreation opportunities. The question of public access to the project area is a spinoff of the type of access that is developed for project construction. While many problems are present we submit to you the following conclusions:

- a. Both rail and road access will be required for construction. We feel this concept provides adequate flexibility and logistics during construction phases.
- b. It is improbable the State of Alaska can construct a project of this magnitude without some form of readily available public access as a residual product.
- c. The entire Susitna project is surrounded by primarily two kinds of land ownership, approximately 215,000 acres of private lands, in Native ownerships, and a very large acreage of State Land. The Cook Inlet Region Corporation has indicated they prefer development of their lands as a means of generating revenue. We can deduce that the State of Alaska likewise is committed to the development of the highest and best use of its land. This land ownership pattern and the respective management philosophies lead one to believe that road access will be supported by these two very important landowners in the area of the project.

It is our position to work with you on the project proposal in the most expediant manner we can while working within the laws and regulations placed upon us. If there are further questions concerning our comments please contact me at (907) 267-1246. Thank you.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Richard J. Vernimen". The signature is written in a cursive style with a large, looping initial "R".

Richard J. Vernimen
Associate District Manager



United States Department of the Interior

2920 (013)

BUREAU OF LAND MANAGEMENT

Anchorage District Office
4700 East 72nd Avenue
Anchorage, Alaska 99507

JAN 7 1982

Mr. Eric Yould, Executive Director
Alaska Power Authority
334 W 4th Ave., 2nd Floor
Anchorage, Alaska 99501

Dear Mr. Yould:

The BLM has been contacted by Acres American requesting formal coordination and review on five Susitna Hydroelectric Project documents. Comments on these documents cannot be accomplished under the guidance of the ACRES Coordination Plan until a coordinated interagency approach is developed for review and comments. Such a process has been recommended by the Susitna Steering Committee and is awaiting your approval.

Your recent letters and briefings have brought into focus several aspects of the access study that I would like to comment on. Those subject areas are land status, Pioneer Road concept, environmental impacts, and the piecemeal effect on the project.

Briefly, the land status on the project area has not changed significantly within the last year; however, there are several problems concerning land status we feel should be brought to your attention. These problems areas are as follows:

1. The Chickaloon Native Corporation's administrative appeal to BLM Interim Conveyance No. 285, which conveyed lands to Cook Inlet Region Inc. (CIRI), casefile No. VLS-80-1, has been dismissed by the Alaska Native Claims Appeal Board (ANCAB).
2. Another action filed by the Chickaloon Native Corporation is a civil suit filed in U.S. District Court (casefile number A-80-207). This court suit was filed on village deficiency lands which encompass the entire project area. There are also lands within this area that have been selected by the State of Alaska and CIRI. Mr. Dennis Hopewell of the U.S. Department of Interior Regional Solicitor's Office is the Attorney on the above case for the Department of Interior. The civil court case will be a consideration in the granting of any right-of-ways by the Department of Interior for access to the project. While the Department may grant right-of-way permits on lands under litigation, the standard Department practice

includes notification of the plaintiff (Chickaloon) of the proposed issuance of right-of-way. This practice allows the plaintiff to file for a restraining order that would stop the issuance of the right-of-way. We recommend that the APA investigate further, with the BLM and the Regional Solicitor's Office, the questions of land and litigation status.

3. The entire area within the Cook Inlet agreement boundary is land considered on as Appendix A lands.

The second concept we would like to discuss is the pioneer road as proposed by Acres American during the October 20th briefing this year. As we understand the situation, for those routes that originate either on the Denali Highway, Alaska Railroad, or the Parks Highway, the Pioneer Road would have to be constructed during the years 1983-1984 in order to arrive at improved access during 1985 and early 1986, which would then provide for a state of continuous access from the middle of 1986 onwards. The Pioneer Road concept requires road right-of-way and related permits during the year of 1982 which is prior to the FERC licensing process. There are obviously several problems with the Pioneer Road concept. As we now understand the situation, these are some of the problems.

1. Early construction of the Pioneer Road would have to be permitted by a BLM right-of-way which would require an environmental impact statement separate from those documents now being prepared for the overall Susitna project. Approaching the Pioneer Road Project in a separate EIS without evaluating the entire Susitna Project may lead to a legal challenge of piecemealing a bigger project. In other words, we could be challenged that the road is merely a part of a larger overall hydroelectric project which should be analyzed at one time.
2. The Pioneer Road would deviate from the location of the final access road particularly on the route south of the Susitna River between Devil's Canyon and the Watana site.
3. The Pioneer Road concept requires decision making by the Cook Inlet Native Corporation, State of Alaska, and the Bureau of Land Management, prior to the licensing by FERC. We are concerned that a decision on the Pioneer Road may lead to environmental and economic consequences prior to the actual licensing of the project. While it is not likely a FERC license will be denied after the feasibility of the project has been established, time has a way of changing the values set by many of our past decisions and we cannot take the Pioneer Road concept lightly. There are three other aspects of the Pioneer Road concept we should mention. Those are: 1) it is very likely a Section 10 permit will be required for crossing navigable waters (Susitna River), 2) a Section 404 permit for wetlands will be required from the Corps of Engineers, and 3) the decision on the Pioneer Road concept will likely be elevated to the level of the

Secretary of the Interior. All of the aforementioned problem areas take time and, as time is of the essence, it is extremely important that if a route is chosen that required Pioneer Road construction the decision be made as early as possible and that the application for right-of-way and other permits be made to the Department of the Interior and Department of Defense agencies at the earliest possible moment.

The third major subject brought to our attention is environmental impacts. As agencies we are all concerned about the relative environmental tradeoffs that must be made if this project is to be constructed. We cannot, however, at this time, recommend to you a preferred access route and mode. There are obviously some routes that post relatively higher environmental costs. Those routes are, the one south of the Susitna River between Devil's Canyon and Watana, and secondly, a significant area of environmental concern is the corridor paralleling the Indian River. Also, a significant environmental concern is posed by the route south from the Denali Highway. The impact here is somewhat mitigated by the western route now preferred as opposed to the route via Butte Lake. It is still unclear as to the relative magnitude of the impact on caribou posed by the western route south from the Denali Highway. While we are greatly concerned about the impact on that caribou herd, we feel that the environmental tradeoff in question is one of impacts on the caribou herd versus the impacts of more productive habitats in the area of Indian River or Fog Lakes. From an environmental standpoint, the route southerly from the Denali Highway seems preferrable from the aspect of minimizing disturbance of productive habitat. The route from the Denali, however, poses a secondary impact, that of human access to the project area after construction. Public access to the project area is a two-edged sword. We recognize that the Watana Project may provide a valuable recreation source for people of the southcentral Alaska. It is also recognized, however, that public recreation can be a destructive activity. We submit that control of the access, the State Game Laws, and the project management after construction, are tools that can be used to manage the adverse effects of increased recreation opportunities. The question of public access to the project area is a spinoff of the type of access that is developed for project construction. While many problems are present we submit to you the following conclusions:

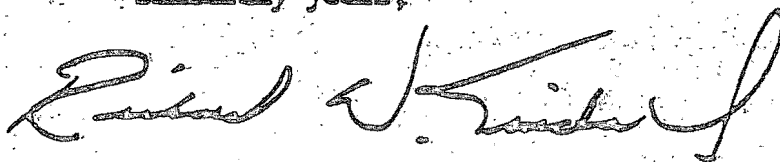
- a. Both rail and road access will be required for construction. We feel this concept provides adequate flexibility and logistics during construction phases.
- b. It is improbable the State of Alaska can construct a project of this magnitude without some form of readily available public access as a residual product.
- c. The entire Susitna project is surrounded by primarily two kinds of land ownership, approximately 215,000 acres of private lands

in Native ownerships, and a very large acreage of State land. The Cook Inlet Region Corporation has indicated they prefer development of their lands as a means of generating revenue. We can deduce that the State of Alaska likewise is committed to the development of the highest and best use of its land. This land ownership pattern and the respective management philosophies lead one to believe that road access will be supported by these two very important landowners in the area of the project.

The 1993 time frame for power-on-line deadline has been a highly controversial subject and it is not well understood how this was established. We would appreciate clarification of the justification for establishing 1993 as a planning objective.

It is hoped that this letter clarifies BLM's position on land status, EIS, and ROW granting, FERC, and coordination. Should you have further questions that require elaboration and elucidation feel free to contact me.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Paul A. Smith". The signature is fluid and cursive, with a large, sweeping initial "P" and a long, horizontal stroke extending to the right.

Map #28, 27, 25, 26, 22, 23

Knik - KN -)
Chickaloon - CH -) Surface Estate
Tyonek - TY -) Individual Villages

CIRI Lands not conveyed to villages -)
See P. L. 94-204/PSC 443 Federal Power Withdrawal) Subsurface Estate
All Lands

LAND ISSUES: Indian Tribal Lands

- A. Land Acquisition - Sale/Exchange
- B. Archeological - Cultural, Historical
- C. Recreational Development and Management
- D. Access to Lands
- E. Land Use - Restrictions, Row, Easements
- F. Access Roads
- G. Transmission Lines Corridors
- H. Sand and Gravel
- I. Camp Sites/Village Sites

Potential Native Development

- A. Villages - Recreation
- B. Villages - Residential
- C. Villages - Timber
- D. Region - Minerals

SUBISSUES: Indian Tribal Lands

Land Management

- A. Rockhounding Private Lands
- B. Fish and Game Management
- C. Subsistence Uses Private Lands
- D. ATV's
- E. Trespass Private Lands
- F. Access Private Lands
- G. Historical, Cultural Sites Protection Private Lands
See ANCSA/ANILCA
- H. Creation of Private Recreation Uses, i.e., Private Park
- I. Forest Fire Management
- J. Commercial Timber Harvest
- K. Sand and Gravel Removal
- L. Access Roads

NATIVE LAND VALUES: Undeveloped Lands

A. Surface Estate

1. Timber
2. Surface Lands
3. Lakes Frontage
4. Sands and Gravel (Courts for ruling)
5. Subsistence Uses
6. Archeological, Historical, Cultural
7. Recreational

B. Subsurface Estate

(All minerals to Region)

See 4 above Sand and Gravel

FERC REQUIREMENTS: Indian Tribal Lands (ANCSA)

1. Acquisition Procedures

- A. Cash - Fee Simple - Surface/Subsurface
- B. Exchange - Fee Simple - Surface/Subsurface
- C. Lease
- D. Right of Way
- E. Easement
- F. Condemnation (See PSC - 443) Fee Simple Surface/Subsurface
Ref: P. L. 94-204

**2. Map of the Project Boundary
Exhibit "G"**

3. Project Boundary

- A. See Exhibit "A" Enclosing principal project works
- B. Must enclose only lands necessary for O&M and other purposes, i.e., Public Recreation, Shoreline Control, Protection of Environmental Resources, Flowage

No land survey to date?

Best available legal description

Distances from fixed monuments or physical structures or features.

(i)12.041 § 4.41 IMPOUNDMENTS

NMT - 200' (Horizontal Measurements) from Exterior margin of the reservoir. Defined by Normal maximum surface Elevation.

Exceptions:

Deviations in boundary.

Additional Lands - Necessary for Project purposes, i.e., Public Recreation.

Description of the Boundary:

Following Methods

- A. Contour lines including Contour Elevation (preferred methods)
- B. Specified courses and distances (METES & Bounds)
- C. If project lands have a public survey (lines parallel to the Survey)

(ii) Continuous Features:

Linear Project Features

- | | | |
|-----------------------|---|---|
| A. Access Roads | } | Described by Specified distances from
Center Lines or Offset Lines |
| B. Transmission Lines | | |
| C. Conduits | | |

Width of Corridors must not exceed 200' or must give good cause to exceed.

(iii) Non-Continuous Features:

Boundary Parameters

- A. Contour Lines or
- B. Specified courses and Distances or
- C. Lines upon or parallel to the lines of a public survey.

Federal lands or lands administered by BLM/NPS/USFS/Indian lands (See 16 U.S.C. 796 (1)(2))

Non-Federal Lands:

Lands not in H(3) of this section

1. Identify by Legal Subdivision
2. Lands owned in fee by the applicant (state lands) and lands that the applicant plans to acquire in fee. (Native Tribal Lands)
3. Lands the applicant has acquired or plans to acquire rights to occupancy to use other than fee title, including rights acquired or to be acquired by easement, lease or Right of way.

Exhibit E. (Water Rights):

1. Non-navigable from Devils Canyon Eastward
2. Requires COE permit wetlands
3. Requires USCG Permit for Bridges south of Devils Canyon downstream from dam for crossings.
4. See PSC 443 Water Power Withdrawal.

Exhibit "F":

Details to title to the lands A-Applicants plans to acquiring title or-Rights to use and occupy the lands.

If Applicant at time of filing has:

A. Easement, lease, franchise or otherwise acquired the right to occupy and use lands by others, the statement should show each separate right of occupancy and use.

1. from whom acquired
2. date acquired
3. nature and extent - right acquired
4. perpetual or limited terms
5. limited date of expiration
6. for each parcel acquired the area within and the area outside the project boundary.

Exhibit "K": Land Status Map:

Detail map entire project area, Project boundary See (1)(i)(ii) FERC
§ 4.41 12.041 through (ix)

Exhibit "N": Economics:

Cost dollars land and land rights, Recreation Development

Exhibit "R": Recreation:

A. Map - entire project area

1. location of project lands and water

i. already developed

ii. designated for initial development

iii. ultimately planned for recreational use.

Exhibit "R": Continued:

A. Existing recreational use

B. Planned for immediate development

i.e. Access Roads

trails

camping facilities

picnicking

boating

bathing

boat launching

fishing

hunting

etc.

Provisions for sanitation and waste disposal planned facilities and development based on anticipated demand. (See Exhibit "K" Maps)

Exhibit "R": Continued

which facilities or development the applicant will provide at its sole cost or in cooperation with others.

1. Estimated present or initial recreational use and projected ultimate development and cost estimates daytime or overnight.
2. Copies of cooperative agreements shall be part of Exhibit "R".

Exhibit "R":

Map, text, photographs, drawings, protection of historical, archeological, cultural resources procedures included in this Exhibit mitigating measures for protection and removal.

Time Frame:

July 1, 1982 - March 31, 1983

Planning Process:

July 1, 1982 - December 31, 1982

FERC Application:

January 1, 1983 - March 31, 1983

Problems: (native)

1. Sand and gravel ownership
2. Gold Creek Association
3. Chickaloon Moose Creek
4. Access Roads
5. Method of Land Acquisition
6. Cultural Resources
7. Recreational Development
8. Timber Removal

August 10, 1982

QUESTIONS FOR CIRI - Roland Shanks (274-8638)

1. How long is it expected to take to resolve and transfer State selection suspended lands in the Susitna study area?

CIRI intends to prevent the transfer of these lands until its other land issues such as its claims on "out of region lands" are settled. At that time, it appears only CIRI, Tyonik, & Knik will have sufficient selections remaining to obtain some of these lands. In any case not all of these lands will be selected. Once they are selected it will take 2 to 3 months for conveyance.

2. How many villages may get land? What villages?

State Selection Suspended

- | | |
|--------------|--------------|
| 1. Chicaloon | 4. Ninilchik |
| 2. Soldovia | 5. Knik |
| 3. Salamanof | 6. Tyonik |

Appendix A Lands (inside blue line)

- | | | |
|---------|-----------|---------|
| 1. Knik | 2. Tyonik | 3. CIRI |
|---------|-----------|---------|

CIRI has agreed that with the villages that once land is conveyed to them from BLM they will reconvey to the villages within 10 days.

3. Will Ahtna Corporation obtain land in the Susitna study area?

Roland does not know of any agreement, so ask Jay Sullivan again.

4. In general, what does CIRI want from the State with regards to Susitna study area lands?

1. Access to the south side of Susitna River.
2. Opportunities for sand & gravel sales.
3. Tourism opportunities.

5. What Sections of the Appendix A lands will go to CIRI?

All lands within Appendix A must be picked up by CIRI. CIRI will have to take what the villages do not take in this area, essentially filling in the holes.

6. What is the effect of the Power Site Withdrawal Act on lands transferred or to be transferred to CIRI and the villages?

Decision to issue conveyance (DIC) for the Susitna area at BLM should show the effect of this withdrawal on conveyed lands (talk to BLM people for ANSCA, CIRI pool).

7. What is CIRI's interpretation of the villages' appeal of sand and gravel issue?

They feel that this issue has already been decided by 9th circuit court of appeals. For village interests we should consult Mr. Camero (village attorney).

8. Must CIRI accept conveyances of lands in this that are designated State selection suspended, but not transferred to the villages?

No

9. How will the Alexander Creek case effect land conveyances by CIRI to the villages?

CIRI is not sure; right now they are waiting for their attorney's opinion. The Attorney General's office still needs to sign off on issue. Once resolved, CIRI can convey Appendix A lands under method B to the villages (which can occur in 2 to 3 months).

10. How will 7i litigation (required sharing with other Native Regional Corporations of certain revenues) effect CIRI's interest in the sand and gravel in the Susitna Project?

All regions have signed off on an agreement but it has not been ratified by the corporation boards (if ratified, sand & gravel will not be shared as a 7i mineral).

11. Does CIRI have a preference on access routes or are they compatible with whatever the villages prefer?

CIRI would prefer access the south side, but will accept the choice of the villages.

12. What effect will the resolution of the Chickaloon Case have on village land conveyances?

Agreement releasing land from Lis Pendens should be signed this week. BLM will now complete conveyance to CIRI, but CIRI may not reconvey to the villages until Alexander Creek is resolved.

ALASKA POWER AUTHORITY

334 WEST 5th AVENUE - ANCHORAGE, ALASKA 99501

Phone: (907) 277-7641
(907) 276-0001

*The letter also was sent to;
Roy M. Huhndorf
Nicholas Jackson*

September 16, 1982

Mrs. B. Brown
President
Tyonek Native Corporation
912 E. 15th Avenue, Suite 200
Anchorage, AK 99501

Dear Mrs. Brown:

The Board of Directors of the Alaska Power Authority, at a meeting on September 14, 1982, chose a plan for access to the Susitna Project for incorporation in the FERC license application. The Board selected a route that comes into the project area from the Denali Highway. When the second project, Devil Canyon, is eventually constructed, a north side connecting link would be added. At the same time, a road or railroad would be constructed on the south side of the Susitna River from the railhead at Gold Creek to the Devil Canyon site.

In making this decision, the Board recognized that their action does not close the issue. Through the FERC licensing process, resource agencies, affected land owners and the interested public will have ample opportunity to comment on the access plan. FERC may or may not approve the Power Authority's access proposal.

This decision was a difficult one, as reflected by an unusually close 4-3 vote by the Board members. Many conflicting objectives had to be addressed and weighed. As indicated in the actual approved recommendation, presented below, the Board's adopted plan includes access to the south side of the river over the dam at Watana and via a bridge just downstream at Devil Canyon. Also included, of course, is an improved access from Gold Creek to Devil Canyon on the south side of the river. The Board accepted the additional costs implicit in insuring south side access at Watana.

Specifically, the Board approved the following plan:

1. For FERC license application, adopt the Denali access plan with the following modifications:
 - a. North side connector
 - b. Westerly shift in Denali routing
 - c. South bank access at Watana and at Devil Canyon
2. In the license application, present a high impact scenario including public access and a recreation plan, but:
 - a. discuss other options
 - b. conduct future public access and recreation planning in consultation with resource agencies and landowners

- c. propose to FERC that the access and recreation decision be held in abeyance until the latter stage of construction
- 3. Continue to review the access proposal in search of improvements, such as:
 - a. reduced design standards on connecting link
 - b. further routing refinements

Given the adoption of this plan, we can now turn our joint efforts toward cooperative land use and mitigation planning.

Sincerely,



Eric P. Yould
Executive Director

cc: Bruce Bedard

September 20, 1982
P5700.07.02.02
T00872

Mr. Eric Yould
Alaska Power Authority
334 West 5th Avenue
Anchorage, Alaska 99501

Attention: Bruce Bedard

Dear Bruce:

Re: FERC License Application/Access Plan

At the Alaska Power Authority Board meeting of September 14, 1982, Access Plan 18, otherwise referred to as Denali (North) was selected as the route to be incorporated in the FERC License Application.

For your information, it has been decided that the road will be unpaved (gravel surface), and have a 24 ft running surface with 5 ft shoulders. This is in recognition of the current concerns of the Resource Agencies with regard to potential environmental impacts, together with a re-evaluation of projected traffic volumes.

As part of the License Application, a Technical Appendix is being prepared which will cover the detailed engineering, environmental, recreational, socioeconomic, and other related issues specific to the selected access plan.

To make sure that the relevant sections within this Technical Appendix are consistent with the rest of the License Application, and truly reflect the concerns and comments of the specialists in each of their respective fields of expertise, I ask you to prepare a short summary outlining preferences of the Native organizations associated with the selected access plan.

Of particular interest would be

- identification of Native organizations in project area
- existing Native land use in and around project area
- future plans
- mitigation measures.

Due to the lateness of the APA Board's decision with respect to the access plan selection, your quick response to this request would be very much appreciated.

Sincerely,

Robert I. Chamberlain

Robert Chamberlain
Civil Engineer

RDC/gh

ACRES AMERICAN INCORPORATED

ALASKA POWER AUTHORITY

334 WEST 5th AVENUE - ANCHORAGE, ALASKA 99501

Phone: (907) 277-7641
(907) 276-0001

September 28, 1982

"DRAFT"

RE: Susitna Hydroelectric Project (Land Acquisition)

REF: B.R. Bedard Land Management Research, Alaska Power Authority

Dear :

The Alaska Power Authority is in the process of a Federal Energy Regulatory Commission application for a major construction of a Hydroelectric Dam Project on the upper Susitna River. This application is targeted to be forwarded to FERC in early 1983.

One of the major requirements of the application is Land Ownership, Methods of Land Acquisition, Proposed and existing land uses of the Project area and adjacent Land Owners.

It is imperative for an orderly and timely manner for land acquisition and planned uses, that the following steps be taken by all parties concerned, Bureau of Land Management, Department of Natural Resources, Cook Inlet Region, Inc., and its CIRI Village Corporations and Ahtna Region, Inc., and the Village of Cantwell.

1. Reservation for an access corridor on Federal D-1 lands that have been recently opened for mineral leasing and mineral entry known as the Denali Block. This corridor will be necessary for a first class gravel road to accommodate heavy loads and a low voltage transmission line from Cantwell.
2. Permit to use and upgrade a 21 mile segment of the Denali Highway from mile Post _____ to Cantwell.
3. That the BLM take all necessary steps to place a higher priority of land conveyances needed for this project to the State of Alaska, Native Regional and Village Corporations and any other classified lands needed for this Project under BLM jurisdiction.
4. That the State Attorney General and the State Commissioner of the Department of Natural Resources take immediate action to resolve the Alexander Creek Native Corporation issue.
5. That the Bureau of Indian Affairs take immediate action to either certify or deny certification of Gold Creek Native Group as a Group and if certified that the Bureau of Land Management identify the lands and convey these to the Group with an expeditious a process as possible.

6. That the Bureau of Land Management provide the Alaska Power Authority with a solicitors opinion of the intent of Sec. 24 of the Federal Power Site Act as it relates to PSC #443 and PL. 94-204 granting conveyance to Cook Inlet Region, Inc., and its Village Corporations.
7. That all mining claims be identified with date of entry and the current validity of these claims federal and state.
8. That all existing water rights be identified in the inundation areas, their tributaries, and down stream of Devil Canyon by the State Department of Natural Resources.
9. That all existing litigation be identified with an update of their status; federal, state, native, and other private inholdings.
10. Future and current plans of any Federal, State Land Disposals in the area that could have significant impacts on land acquisitions.
11. Current status or plans on state selections suspended that are reserved for Cook Inlet Region, Inc., the overselections by the State of Alaska was suspended to the state pending final conveyance to CIRI and its villages until full entitlement has been met. It is imperative that the CIRI villages conveyances be given full conveyances to their lands as soon as practicable so that the state can complete its selections in this area for the Susitna Hydroelectric Project.
12. That the State Department of Natural Resources change its priorities to a higher priority for its land selections in the Susitna Hydroelectric Project area.
13. That the State Department of Natural Resources (DNR) consider the possibility for land exchanges with the CIRI Village Corporations as provided for in the Alaska Statutes and if such exchanges are practical, mitigating measures-the State DNR and the Native Corporations should initiate immediate negotiations for an exchange.
14. It has been inferred by FERC that a land lease could be acceptable for certain features of the project, ie,: village and camp sites, Borrow and gravel pits. This could be a mitigating measure with the CIRI Villages.
15. It will probably be necessary that the surface and subsurface estate of the innundation area be purchased or exchanged with the CIRI Villages.

16. Easement, Right of Way on access roads, transmission lines on Native lands will be necessary, these should be negotiated in one package.
17. That the Department of Natural Resources reserve a ROW between Gold Creek and Devil Canyon for the railroad and road on the southside of the Susitna River on state owned land.
 - A. 600' transmission lines
 - B. 200' rail or road
18. Review and acquire all necessary permits for upgrading the Denali Highway and implications of the scenic highway study with the Bureau of Land Management.
 - A. Upgrade 15 miles of road,
 - B. corridor for low voltage transmission line,
 - C. cut in at mile post _____ of the one mile corridor.
19. Identify the following land needs at Cantwell.
 - A. Railroad staging yard, 150 acres,
 1. State land
 2. Community land
 3. Native land (Ahtna Inc.)
 4. other private land
 - B. Avoidance of the Cantwell School area via old abandoned road at Cantwell. (Will need to be rebuilt.)
20. Identify land for a substation at Cantwell for low voltage transmission line and distribution system.
21. Identify as soon as possible all CIRI Village Corporations that will receive reconveyed lands from CIRI in the Susitna Hydroelectric Project study area, in order that the CIRI native agreement will reflect only those Village Corporations that will receive land in the study area.
22. Update the feasibility study native agreement (see 21 above) to include all necessary actions for land disturbances, archeological sites on native lands, removal procedures and protection (trust policy), and other necessary changes prior to land acquisition.
23. The Alaska Power Authority needs a master land status map that reflects all impacts and ownership of the lands to be acquired.
 - A. Impoundment area
 - B. Dam sites
 - C. Transmission corridor
 - D. Access roads/railroad
 - E. Village and campsites

ALASKA POWER AUTHORITY

Report
Bruce Bedard
December 9, 1982

I. Native Agreement Amendments CIRI and method "B" villages.

- A. Who are they?
- B. Is there a possibility of other villages having land in the Susitna area? Who?
- C. Do you know if at this time will CIRI end up with surface ownership in the Susitna area?
- D. Do you know if any of the remaining lands identified as state selection suspended will be acquired by CIRI or any of its villages? If so, what townships, ranges, sections?

II. Archeology: Section 4 Exhibit "E".

- A. Native comments.
- B. Surface - Subsurface disturbance.
- C. Inventory of items removed:
 - 1. From where ts, R, Sec.
 - 2. Where kept.
 - 3. Status of significance on native land.
 - 4. National register historical places.

III. Land Use - Ownership.

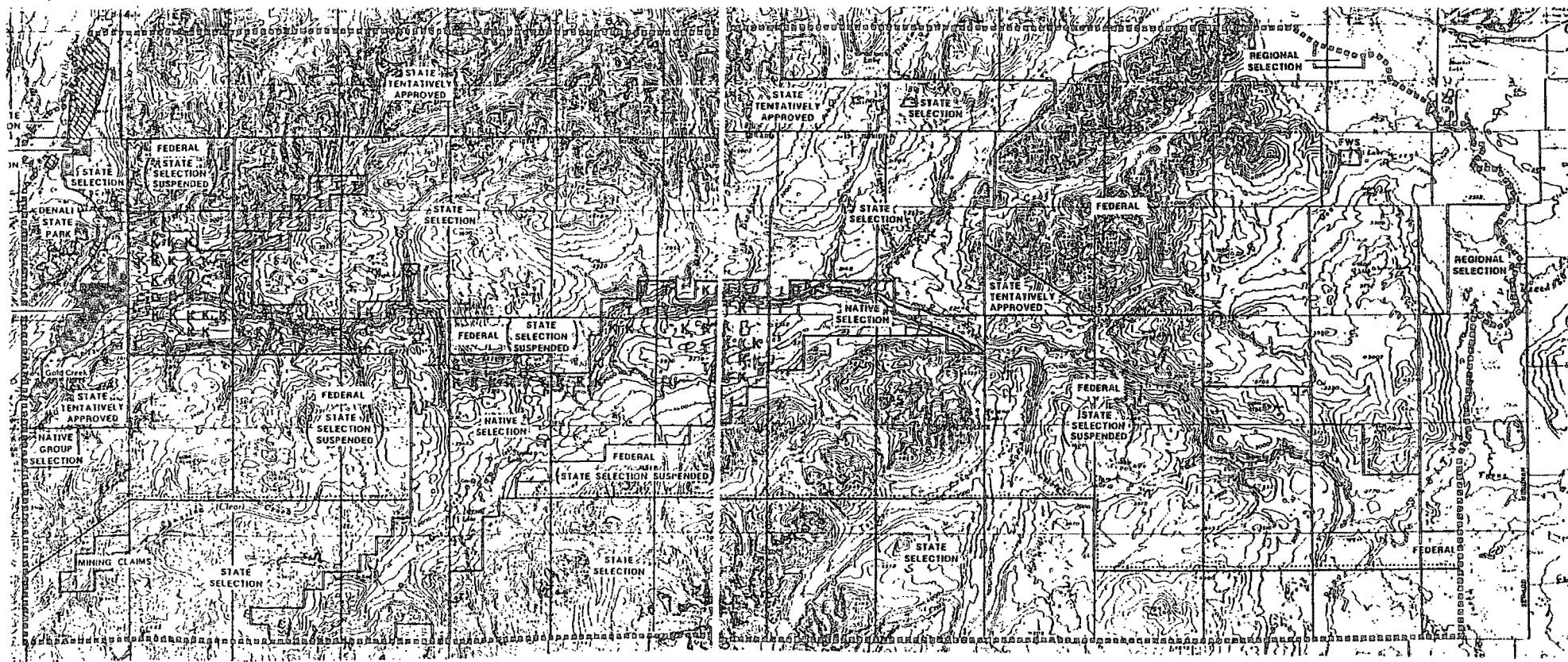
- A. Power site classification PSC-443, February 13, 1958.
 - 1. Section 24. 1920 Act, FPC now FERC.
 - 2. Does the provisions of Section 24 compensate the natives for these lands because they are fee simple title to them but subject to the provisions of Section 24? (these lands are now private lands and not federal public domain lands as Section 24 usually applies.)
 - 3. What was the intent of Congress here under PL 94-204 CIRI land exchange?

4. What was the provisions of Section 24 the Secretary of Interior imposed on these lands?
5. When these lands withdrawn by Congress but subject to Section 24, but with an understanding that the intent was to reserve the lands under Section 24 but compensate the natives for taking them back if a power project was to occur? It does not seem logical for Congress and the Interior to convey land in fee simple and then take them back with no compensation for the value of the surface and subsurface of the lands because this definitely is not the intent of the Land Claims Act (ANCSA) or the intent of D-2 (ANILCA) to do that.

B. Need additional solicitors opinions here.

1. Gold Creek Native Group
 - a. Certification status BIA what is the present status.
 - b. If certified, what lands under 14-H will they receive in the upper Susitna area? How many acres?
2. Alexander Creek native (group) or (village).
 - a. What is the present status on the agreement?
 - i. State DNR signed off - yes.
 - ii. State Attorney General signed off - no.
 - b. What needs to be done for the Attorney General and CIRI and Alexander Creek to complete this document?
 - i. Establish an effective date.
 - ii. Establish confirmation as a group.
 - iii. Have all village attorneys sign off as well.
3. Chickaloon Moose Creek Native Association (village) law suit has been dropped.
 - a. Need to involve this village in the new amended agreement.
 - b. Need their input for involvement in recreational and other surface land uses and planning.
4. Need to establish procedure for intervenor status for CIRI and its villages for the FERC licensing process.
5. Land Acquisition Procedures
 - a. Identify the actual lands surface - subsurface that the project needs (which villages) (total agreed).

- b. Identify the type of acquisition.
 - i. Sale
 - ii. Lease
 - iii. Exchange
 - iv. Easement
 - v. Other
- c. Identify those lands which could be sold or exchanged and which could be leased or accomplished by easement.
- d. Identify land value to compare with the state appraisals.
- e. Identify other values such as land use disruptions, opportunities loss, subsurface uses impaired, etc.



LAND OWNERSHIP/STEWARDSHIP, DEVIL CANYON PORTION

FIGURE
PREPARED BY TEG

LAND OWNERSHIP/STEWARDSHIP, WATANA PORTION

BBB

Selection	10/31	11/30	12/31	01/31	02/28	03/31	04/30	05/31	06/30	07/31	08/31	09/30	ACREAGE
Eklutna APA#2 (AA-45155)									Decision		IC		
Eklutna											LD		15,900
Kalik 3(e) FAA (AA-46849)					Decision			IC					5
Salamatof (In-Refuge) (Balance)					DDIC		DIC		IC				1,500
Salamatof	IC												15,030 (57,480 ac charged)
Salamatof		IC											9,028
Seldovia			DDIC		DIC		IC						1.293
Talkeetna Mts.						DDIC			DIC		IC		172,880
Talkeetna Mts.							IC						6,978
Tuxedni/Appendix C				LD	DNM	IESR	NPE				ZESR	DEM DDIC	
Lake Clark									Decision				88,000
Haynes NPPR							IC						4
Wallace NPPR	DEM	LD/NAV					DNM	DDIC	V/M	NM	EM	DIC	160
Wallace NPPR	DEM	LD/NAV					DNM	DDIC	V/M	NM	EM	DIC	160

CIRI

Pg 5 of 5

11/17/82

Section Chief
Sandy Thomas

Paul
Savage

T. 32 N., R. 1 W.
Secs. 25 to 28, inclusive, all;
Secs. 31, 32, 33 and 36, all.

Containing approximately 5,086 acres.

Aggregating approximately 26,683 acres.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES OF AMERICA, unto the above-named corporation the surface and subsurface estates in the land above-described, TO HAVE AND TO HOLD the said estates with all the rights, privileges, immunities and appurtenances, of whatsoever nature, thereunto belonging, unto the said corporation, its successors and assigns, forever:

THE GRANT OF THE ABOVE-DESCRIBED LANDS IS SUBJECT TO:

1. Issuance of a patent confirming the boundary description of the lands hereinabove granted after approval and filing by the Bureau of Land Management of the official plat of survey covering such lands;
2. Valid existing rights therein, if any, including but not limited to those created by any lease (including a lease issued under Sec. 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339, 341; 48 U.S.C. Ch. 2, Sec. 6(g))), contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 708; 43 U.S.C. 1601, 1616(b)(2) (ANCSA)), any valid existing right recognized by ANCSA shall continue to have whatever right of access-as is now provided for under existing law;
3. The terms and conditions of the agreement dated August 31, 1976, between Cook Inlet Region, Inc., and the Secretary of the Interior. A copy of the agreement is hereby attached to and made a part of this conveyance document; and
4. Those lands and interests in the lands conveyed within the exterior boundaries of Power Site Classification No. 443, February 13, 1958, are subject to Sec. 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1063, 1065; 16 U.S.C. 791, 818), pursuant to Sec. 12(e) of P.L. 94-204 (89 Stat. 1145, 1153).

IN WITNESS WHEREOF, the undersigned authorized officer of the Bureau of Land Management has, in the name of the United States, set his hand and caused the seal of the Bureau to be hereunto affixed on this 11th day of February, 1980, in Anchorage, Alaska.

UNITED STATES OF AMERICA

Alvin D. Arnold

Assistant to the State Director
for ANCSA

285

INTERIM CONVEYANCE NO.

DATE FEB 11 1980

INTERIM CONVEYANCE

WHEREAS

Cook Inlet Region, Inc.

is entitled to a conveyance pursuant to Secs. 14(a) and 22(j) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 702, 715; 43 U.S.C. 1601, 1613(a), 1621(j)), as amended by Sec. 4 of the act of October 4, 1976 (90 Stat. 1934, 1935; 43 U.S.C. 1611), of the surface and subsurface estates of the following described lands:

Seward Meridian, Alaska (Unsurveyed)

T. 31 N., R. 1 E.
Secs. 1 to 5, inclusive, all.

Containing approximately 3,200 acres.

T. 32 N., R. 1 E.
Secs. 31 and 32, all.

Containing approximately 1,246 acres.

T. 31 N., R. 2 E.
Sec. 1, all;
Sec. 12, all.

Containing approximately 1,280 acres.

T. 32 N., R. 2 E.
Secs. 32 to 36, inclusive, all.

Containing approximately 3,200 acres.

T. 31 N., R. 3 E.
Secs. 19 to 22, inclusive, all;
Sec. 24, all.

Containing approximately 3,173 acres.

T. 31 N., R. 4 E.
Secs. 2 and 3, all;
Sec. 16, all;
Secs. 19 and 21, all.

Containing approximately 3,173 acres.

T. 32 N., R. 4 E.
Sec. 25, all;
Secs. 35 and 36, all.

Containing approximately 1,920 acres.

T. 32 N., R. 5 E.
Secs. 26, 27 and 28, all;
Secs. 30 to 33, inclusive, all.

Containing approximately 4,410 acres.

INTERIM CONVEYANCE NO.

285

DATE

FEB 11 1950



United States Department of the Interior

BUREAU OF LAND MANAGEMENT AA-21417, etc. 1/ (2620)
Alaska State Office ~AA-13358 (2651)
701 C Street, Box 13 AA-6685-A2, etc. 2/ (2651)
Anchorage, Alaska 99513 AA-11153-20 (2652)
AA-11160 (2653)
AA-16637 (75.4)
(961)

NOV 30 1973

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DECISION

Ninilchik Natives Association, Inc.	:	AA-6685-A2
P.O. Box 173	:	AA-6685-D
Ninilchik, Alaska 99639	:	Village Selections
Salamatoff Native Association, Inc.	:	AA-6698-B2
P.O. Box 2682	:	Village Selection
Kenai, Alaska 99611	:	AA-6701-A2
Seldovia Native Association, Inc.	:	AA-6701-B2
P.O. Box 185	:	Village Selections
Seldovia, Alaska 99663	:	AA-6707-B2
Tyonek Native Corporation	:	AA-6707-F
445 E. 5th Avenue, Suite 9	:	Village Selections
Anchorage, Alaska 99501	:	AA-8485-A2
Knikatu, Inc.	:	AA-8485-B
P.O. Box 2130	:	Village Selections
Wasilla, Alaska 99687	:	AA-8487-B2
Alexander Creek, Inc.	:	Village Selection
8126 Tri-Lake Road	:	AA-8489-A2
Anchorage, Alaska 99502	:	AA-8489-B
Chickaloon Moose Creek Native Association, Inc.	:	Village Selections
2600 Fairbanks Street	:	
Anchorage, Alaska 99501	:	

1/ AA-21417, AA-21418, AA-21419, AA-21420, AA-21427, AA-21428,
AA-21430, AA-21431, AA-21540.

2/ AA-6698-B2, AA-6701-B2, AA-6707-B2, AA-8485-A2, AA-8487-B2,
AA-8489-A2.

Gold Creek Susitna Native	:	AA-111
Association, Inc.	:	
Mile 263	:	
c/o Alaska Railroad	:	
Gold Creek, Alaska 99695	:	Native Group Selection
State of Alaska	:	AA-21417, AA-21418,
Division of Research	:	AA-21419, AA-21420,
and Development	:	AA-21427, AA-21428,
323 East Fourth Avenue	:	AA-21430, AA-21431, AA-214
Anchorage, Alaska - 99501	:	State Selections
Cook Inlet Region, Inc.	:	AA-13358
P.O. Drawer 4-N	:	AA-11153-20
Anchorage, Alaska 99509	:	Regional Selections

Village Selection Applications Rejected in Part
Regional Selection Application Rejected in Part
Native Group Selection Application Rejected in Part
State Selection Applications Rejected in Part
Lands Proper for Regional Conveyance
Lands Approved for Conveyance

On December 17, 1974, the village corporations of Chickaloon, Tyonek, Seldovia, Ninilchik and Knik, filed village selection applications AA-8489-B, AA-6707-F, AA-6701-F, AA-6685-D and AA-8485-B and AA-8485-C, respectively, under Sec. 12(a) of the Alaska Native Claims Settlement Act (hereinafter ANCSA) of December 18, 1971 (85 Stat. 688, 701; 43 U.S.C. 1601, 1611 (1976)), for lands withdrawn under Sec. 11(a)(3) of ANCSA. Sec. 11(a)(3) authorizes the Secretary of the Interior to withdraw deficiency lands from the nearest unreserved, vacant and unappropriated public lands when the lands withdrawn by Secs. 11(a)(1) and 11(a)(2) of ANCSA are insufficient to permit a village or regional corporation the acreage it is entitled to select. Because of the unresolved eligibility status of Alexander Creek and Salamatoff, currently in litigation, their applications were filed in four different methods to cover all alternatives in the event both, either or neither Alexander Creek and Salamatoff were determined eligible.

In 1976, each of the applications was considered for compliance with the statutory and regulatory requirements of ANCSA. The selections filed did not comply with the mandatory selection requirements for compactness and contiguity and included lands not available for selection. Decisions rejecting these applications for these reasons were issued on May 10 through 17 of 1976. These rejections greatly reduced the village entitlements under Sec. 12(a) of ANCSA.

A petition for reconsideration of the decisions was filed with the Bureau of Land Management on May 26, 1976, and denied on June 7, 1976. On June 8 and 18, 1976, notices of appeal were filed by the villages. On July 2, 1976, the Bureau of Land

Management requested that the Alaska Native Claims Appeal Board remand the decisions for reconsideration in accordance with a memorandum from the Acting Assistant Secretary, Land and Water Resources, dated June 14, 1976. The Alaska Native Claims Appeal Board remanded the decisions to the Bureau of Land Management on July 8, 1976, and suspended the appeals pending reconsideration and further action by the Bureau of Land Management.

Since the validity of the selections filed by the eligible villages was questioned, and Alexander Creek and Salamattoff are still pending a determination on their eligibility, no conveyances of lands within the Sec. 11(a)(3) withdrawals could be made without some remedial action. To resolve the problems of validity, the villages entered into a conveyance agreement with Cook Inlet Region, Inc., on August 28, 1976, which provided that upon conveyance of the deficiency lands to Cook Inlet Region, Inc., the surface estate of the lands under their Sec. 12(a) selections will be reconveyed by Cook Inlet Region, Inc., to the village corporations entitled thereto. (See Appendix B of the agreement of August 31, 1976.)

Cook Inlet Region, Inc., and the Secretary of the Interior entered into an agreement on August 31, 1976, wherein the Secretary of the Interior shall convey to Cook Inlet Region, Inc., the surface and subsurface estates of all public lands, subject to valid existing rights, so described in Appendix A to said agreement. Cook Inlet Region, Inc., shall then reconvey the surface estate of some of the lands to certain village corporations pursuant to the conveyance agreement dated August 28, 1976, between Cook Inlet Region, Inc., and the affected village corporations.

On October 4, 1976, Public Law (P.L.) 94-456 (90 Stat. 1934, 1935) was passed in which Sec. 4 amended ANCSA to authorize the Secretary of the Interior to convey lands under application for selection by village corporations within Cook Inlet Region to Cook Inlet Region, Inc., for reconveyance by the region to such village corporations, such conveyances constituting a portion of their Sec. 12(a) entitlement.

On June 28, 1977, Cook Inlet Region, Inc., filed selection application AA-13358 under the provisions of Sec. 12(a) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 701; 43 U.S.C. 1601, 1611), as amended by Sec. 4 of P.L. 94-456 (90 Stat. 1934, 1935).

Upon the conveyance of these lands to Cook Inlet Region, Inc., the Sec. 12(a) selection applications of the above-named village corporations for the lands involved, and serialized as AA-6685-D, AA-6707-F, AA-8485-B, and AA-8489-B, are considered as rejected and will be removed from the official land status records for the lands conveyed. This will include all lands selected within Power Site Classification No. 443.

Also, on September 15, 16 and 17, 1975, the village corporations of Chickaloon, Seldovia, Tyonek, Knik, Ninilchik, Alexander Creek and Salamatoff, filed selection applications AA-8489-A2, AA-6701-B2, AA-6707-B2, AA-8485-A2, AA-6685-A2, AA-8487-B2 and AA-6698-B2, respectively, under Sec. 12(b) of ANCSA. (The eligibility of Alexander Creek and Salamatoff as village corporations under the Alaska Native Claims Settlement Act has not been determined; however, the corporations formed for these communities are parties to the conveyance agreement of August 28, 1976, whereby it was agreed that the lands involved should be conveyed to Cook Inlet Region, Inc.) These identical applications cover all lands withdrawn under Sec. 11(a)(3) of ANCSA. Since some of these lands are to be conveyed to Cook Inlet Region, Inc., pursuant to Sec. 4(a) of P.L. 94-456, these applications are hereby rejected as to the lands herein approved for conveyance.

On December 15, 1975, Seldovia Native Association, Inc., also filed selection application AA-6701-A2 under Sec. 12(b) of ANCSA. Some of the lands are within the Sec. 11(a)(3) withdrawal area. Since these lands are to be conveyed to Cook Inlet Region, Inc., pursuant to Sec. 4(a) of P.L. 94-456, this application is hereby rejected as to the lands herein approved for conveyance.

On December 17, 1975, Cook Inlet Region, Inc., filed selection application AA-11153-20 under the provisions of Sec. 12(c) of ANCSA. The application includes lands withdrawn under Sec. 11(a)(3) of ANCSA. Since these lands are to be conveyed to Cook Inlet Region, Inc., pursuant to Sec. 4(a) of P.L. 94-456, the application is hereby rejected as to the lands herein approved for conveyance.

The Gold Creek - Susitna Native Association, Inc., filed selection application AA-11160 on January 15, 1976, under the provisions of Sec. 14(h)(2) of the Alaska Native Claims Settlement Act of December 18, 1971. Since Sec. 14(h) authorizes conveyance of unreserved and unappropriated public lands located outside areas withdrawn under Secs. 11 and 16 of ANCSA, and some of the lands in the application were withdrawn under Sec. 11(a)(3) of ANCSA, this application is hereby rejected as to the lands herein approved for conveyance.

On November 14, 1978, as amended, the State of Alaska filed general grant applications under the Alaska Statehood Act of July 7, 1958 (72 Stat. 339; 48 U.S.C. Ch. 2, Sec. 6(b)). The lands selected had been withdrawn by Public Land Order 5255 dated September 12, 1972, under Sec. 11(a)(3) of ANCSA, were selected by village corporations under Secs. 12(a) and 12(b) of ANCSA, and therefore were not available for selection by the State of Alaska. Additionally, portions of the lands selected are also under applications filed pursuant to various public land laws or were reserved by Power Site Classification No. 443, February 13, 1958, and were not available for selection. In view of this, the

following state selections are hereby rejected as the lands described below:

<u>Serial Number</u>	<u>Description Seward Meridian, Alaska (Unsurveyed)</u>
AA-21417	T. 31 N., R. 1 E. Secs. 1 to 5, inclusive, all. Containing approximately 3,200 acres.
AA-21427	T. 32 N., R. 1 E. Secs. 31, 32 and 33, all. Containing approximately 1,886 acres.
AA-21418	T. 31 N., R. 2 E. Sec. 1, all; Secs. 5 to 6, all; Secs. 12 and 13, all. Containing approximately 3,167 acres.
AA-21428	T. 32 N., R. 2 E. Secs. 32 to 36, inclusive, all. Containing approximately 3,200 acres.
AA-21419	T. 31 N., R. 3 E. Secs. 18 to 24, inclusive, all. Containing approximately 4,424 acres.
AA-21420	T. 31 N., R. 4 E. Secs. 2 and 3, all; Sec. 10, all; Secs. 15 and 16, all; Secs. 19, 20 and 21, all. Containing approximately 5,093 acres.
AA-21430	T. 32 N., R. 4 E. Sec. 25, all; Secs. 35 and 36, all. Containing approximately 1,920 acres.
AA-21431	T. 32 N., R. 5 E. Secs. 26, 27 and 28, all; Secs. 30 to 33, inclusive, all. Containing approximately 4,410 acres.

AA-21540

T. 32 N., R. 1 W.

Secs. 25 to 28, inclusive, all;

Secs. 31 to 36, inclusive, all.

Containing approximately 6,366 acres.

The State-selected lands rejected above aggregate approximately 33,666 acres. These State selections were not valid selections, and the 33,666 acres will not be charged against the village corporations as State selected lands. Further action on the subject State selection applications as to those lands not rejected herein will be taken at a later date.

As to the lands described below, the application, filed by Cook Inlet Region, Inc., AA-13358, as amended, is properly filed and meets the requirements of the Alaska Native Claims Settlement Act, as amended by Sec. 4 of P.L. 94-456, and of the regulations issued pursuant thereto. These lands do not include any lawful entry perfected under or being maintained in compliance with laws leading to acquisition of title. They do include the lands and interests in lands within the exterior boundaries of Power Site Classification No. 443, February 13, 1958. Sec. 12(e) of P.L. 94-204 (89 Stat. 1145, 1153), authorizes the Secretary to convey those lands and interests in lands selected by the Native corporations within the exterior boundaries of Power Site Classification No. 443, subject to Sec. 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1063, 1065; 16 U.S.C. 791, 818). This conveyance shall be considered and treated as a conveyance under ANCSA.

In view of the foregoing, the surface and subsurface estates of the following described lands, aggregating 33,666 acres, are considered proper for acquisition by Cook Inlet Region, Inc., and are hereby approved for conveyance:

Seward Meridian, Alaska (Unsurveyed)

✓ T. 31 N., R. 1 E.

Secs. 1 to 5, inclusive, all.

Containing approximately 3,200 acres.

✓ T. 32 N., R. 1 E.

Secs. 31, 32 and 33, all.

Containing approximately 1,886 acres.

✓ T. 31 N., R. 2 E.

Sec. 1, all;

Secs. 5 and 6, all;

Secs. 12 and 13, all.

Containing approximately 3,167 acres.

32N
✓ T. 32 N., R. 4 E.
Secs. 32 to 36, inclusive, all.

Containing approximately 3,200 acres.

✓ T. 31 N., R. 3 E.
Secs. 18 to 24, inclusive, all.

Containing approximately 4,424 acres.

✓ T. 31 N., R. 4 E.
Secs. 2 and 3, all;
Sec. 10, all;
Secs. 15 and 16, all;
Secs. 19, 20 and 21, all.

Containing approximately 5,093 acres.

✓ T. 32 N., R. 4 E.
Sec. 25, all;
Secs. 35 and 36, all.

Containing approximately 1,920 acres.

✓ T. 32 N., R. 5 E.
Secs. 26, 27 and 28, all;
Secs. 30 to 33, inclusive, all.

Containing approximately 4,410 acres.

✓ T. 32 N., R. 1 W.
Secs. 25 to 28, inclusive, all;
Secs. 31 to 36, inclusive, all.

Containing approximately 6,366 acres.

Aggregating approximately 33,666 acres.

Pursuant to Sec. 4(a) of P.L. 94-456, the lands described above will be conveyed as partial satisfaction of the statutory entitlement of certain village corporations within Cook Inlet Region. "Statutory entitlement" of village corporations includes only the land entitlements granted under Sec. 12(a) of ANCSA. Therefore, the lands described above, and under 12(a) selections, will be charged against the 12(a) entitlement of the participating village corporations.

Section E of the agreement of August 31, 1976, provides that if the Secretary has conveyed more land to Cook Inlet Region, Inc., pursuant to this agreement than the village corporations are actually entitled to receive under Sec. 12 of ANCSA, when added to lands otherwise received by such village corporations, the excess acreage shall be retained by Cook Inlet Region, Inc., and shall be regarded as conveyances of land outside the boundaries

of Cook Inlet Region pursuant to Paragraph I (C)(1), of the Terms and Conditions for Land Consolidation and Management in the Cook Inlet Area, and the corporation's out-of-region entitlements will be adjusted accordingly.

Therefore, any lands conveyed herein which are not reconveyed to any village corporation by Cook Inlet Region, Inc., will be charged against the out-of-region entitlement of Cook Inlet Region, Inc., under Paragraph I (C)(1) of the Terms and Conditions, and the Sec. 12(a) entitlement of the village corporations will be adjusted accordingly.

There are no easements to be reserved to the United States pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act (ANCSA).

The grant of the lands shall be subject to:

1. Issuance of a patent confirming the boundary description of the lands hereinabove granted after approval and filing by the Bureau of Land Management of the official plat of survey covering such lands;
2. Valid existing rights therein, if any, including but not limited to those created by any lease (including a lease issued under Sec. 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339, 341; 48 U.S.C. Ch. 2, Sec. 6(g))), contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 708; 43 U.S.C. 1601, 1616(b)), any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law;
3. The terms and conditions of the agreement dated August 31, 1976, between Cook Inlet Region, Inc., and the Secretary of the Interior. A copy of the agreement shall be attached to and become a part of the conveyance document and shall be recorded therewith. A copy of the agreement is located in the Bureau of Land Management easement case file for Cook Inlet Region, Inc., serialized AA-16637. Any person wishing to examine this agreement may do so at the Bureau of Land Management, Alaska State Office, 701 C Street, Box 13, Anchorage, Alaska 99513; and
4. Those lands and interests in the lands conveyed within the exterior boundaries of Power Site Classification No. 443, February 13, 1958, are subject to Sec. 24 of the Federal Power Act of June 10, 1920

11 Stat. 1063, 1065; 16 U.S.C. 751, 818 pursuant to Sec. 12(e) of P.L. 94-204 (89 Stat. 1145, 1153).

There are no inland water bodies considered to be navigable within the above described lands.

Conveyance of the remaining entitlement to Cook Inlet Region, Inc., of Sec. 11(a)(3) lands shall be made at a later date.

Enclosed are copies of current status plats showing the lands approved for conveyance.

In accordance with Departmental regulation 43 CFR 2650.7(d), notice of this decision is being published once in the Federal Register and once a week, for four (4) consecutive weeks, in the Anchorage Times. Any party claiming a property interest in lands affected by this decision may appeal the decision to the Alaska Native Claims Appeal Board, P.O. Box 2433, Anchorage, Alaska 99510 with a copy served upon both the Bureau of Land Management, Alaska State Office, 701 C Street, Box 13, Anchorage, Alaska 99513 and the Regional Solicitor, Office of the Solicitor, 510 L Street, Suite 408, Anchorage, Alaska 99501, also:

1. Any party receiving service of this decision shall have 30 days from the receipt of this decision to file an appeal.
2. Any unknown parties, any parties unable to be located after reasonable efforts have been expended to locate, and any parties who failed or refused to sign the return receipt shall have until JAN 2 1990 to file an appeal.
3. Any party known or unknown who may claim a property interest which is adversely affected by this decision shall be deemed to have waived those rights which were adversely affected unless an appeal is timely filed with the Alaska Native Claims Appeal Board.

To avoid summary dismissal of the appeal, there must be strict compliance with the regulations governing such appeals. (See enclosed ASO Form 2650-4).

If an appeal is taken, the parties to be served with a copy of the notice of appeal are:

Cook Inlet Region, Inc.
P.O. Drawer 4-N
Anchorage, Alaska 99509

Ninilchik Natives Association,
Inc.
P.O. Box 173
Ninilchik, Alaska 99639

Salmonoff Native Association,
Inc.
P.O. Box 2682
Kenai, Alaska 99611

Seldovia Native Association,
Inc.
P.O. Box 185
Seldovia, Alaska 99663

Tyonek Native Corporation
445 E. 5th Avenue, Suite 9
Anchorage, Alaska 99501

Knikatu, Inc.
P.O. Box 2130
Wasilla, Alaska 99687

Alexander Creek, Inc.
8126 Tri-Lake Road
Anchorage, Alaska 99502

Chickaloon Moose Creek Native
Association, Inc.
2600 Fairbanks Street
Anchorage, Alaska 99501

Gold Creek - Susitna Native
Association, Inc.
Mile 263
c/o Alaska Railroad
Gold Creek, Alaska 99695

State of Alaska
Division of Research
and Development
323 East Fourth Avenue
Anchorage, Alaska 99501

/s/ Sue A. Wolf

Chief, Branch of Adjudication

Enclosures:
ASO Form 2650-4
Cy 43 CFR Part 4, Subpart J
Plats
Legend

cc:

Mr. Earle Williams (flp)
17th Coast Guard District
P.O. Box 3-5000
Juneau, Alaska 99801

Silver Dome Mining Company (CM-RRR)
c/o William R. Elan
1416 West 23rd Avenue
Anchorage, Alaska 99503

Ms. Peggy Gould (CM-RRR)
2209 Hillcrest Circle
Anchorage, Alaska 99503

DM-100

AM-016

AM-017

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mr:10/31/79

mr:11/5/79

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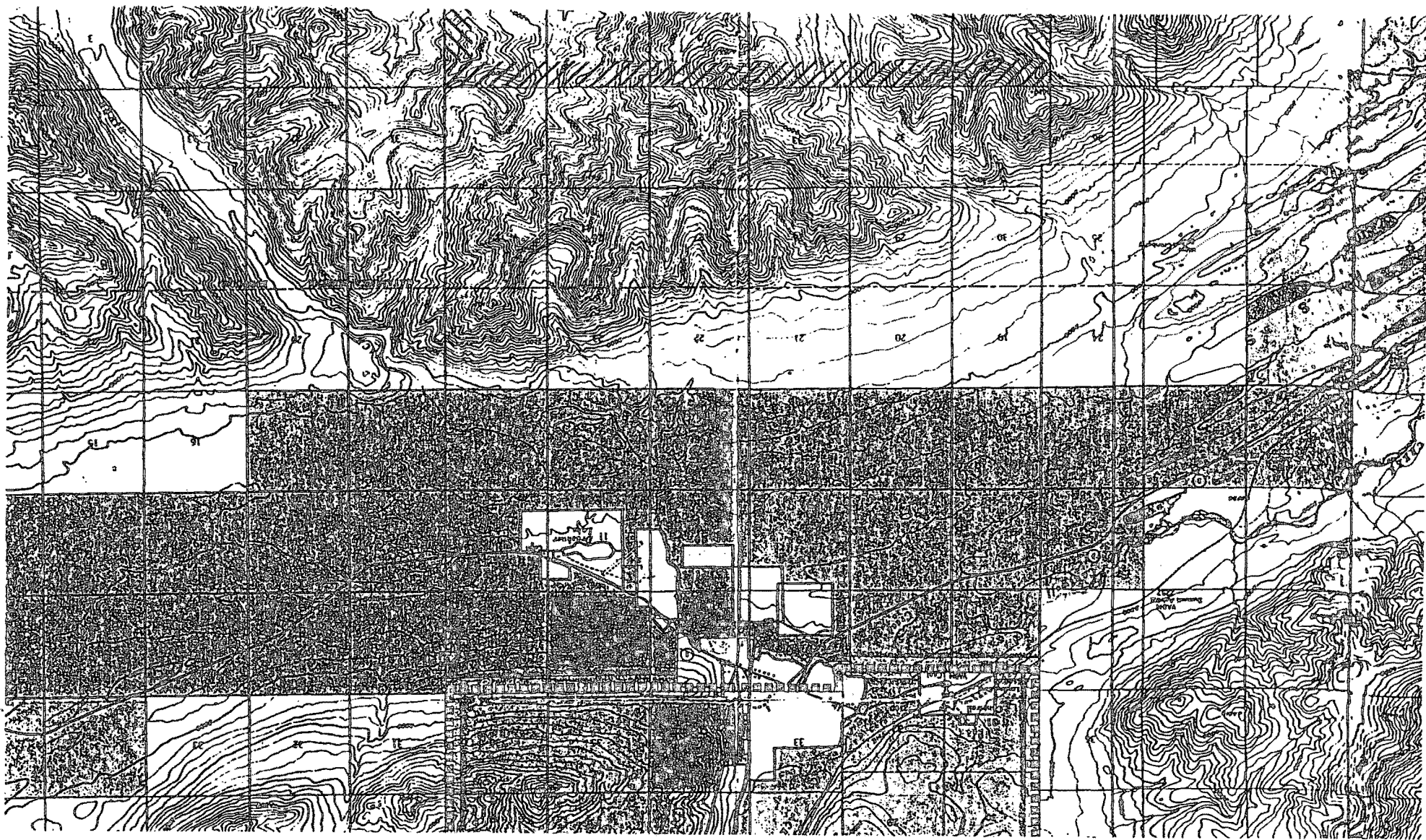
hd 11/9/79

mr:11/21/79

mr:11/23/79

cy To:

U.S. Geological Survey
Jesse L. Colbert
P.O. Box 2967
Portland, Oregon 972



CANTWELL
VILLAGE

GOLDBERG & GOTTSTEIN

ATTORNEYS & COUNSELLORS
1107 WEST SEVENTH AVENUE
ANCHORAGE, ALASKA 99501
(907) 277-8561

Robert M. Goldberg
James B. Gottstein

March 26, 1981

Eric P. Yould
Alaska Power Authority
333 West 4th Avenue, Suite 31
Anchorage, Alaska 99501

Dear Mr. Yould:

This is in regards to the recent request by the Alaska Power Authority for Ahtna, Inc. to grant permission to enter upon, survey across, and to clear trees, brush, or other objects as are reasonably necessary to make the survey or surveys across the land described in Exhibit A, attached hereto, for the Willow-Healy electrical transmission line intertie. Ahtna, Inc. will interpose no objection to the conduct of activities reasonably necessary to achieve the completion of the field activities proposed, so long as the following conditions are agreed to by the Alaska Power Authority:

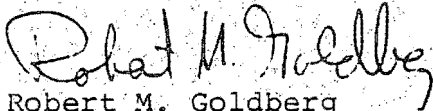
1. Ahtna, Inc. will be paid the sum of \$10,000 to cover monitoring the above proposed activities and land use for the 1981 work season. (This is consistent with sums paid by Northwest Pipeline for similar pre-construction activities and planning on Native village land along the gasline route during the 1980 field season.)
2. Ahtna, Inc. will be compensated for any damage to its land, including aesthetic considerations.
3. The Alaska Power Authority agrees to provide Ahtna with all information regarding the project and will fully involve Ahtna in the planning and location of the route.
4. The Alaska Power Authority will provide Ahtna with all information in its possession relating to health effects resulting from the intertie.

Mr. Eric P. Yould
March 26, 1981
Page 2

5. The Alaska Power Authority agrees to hold harmless and indemnify Ahtna for any claims for damages or losses which arise as a result of the activities conducted hereunder, whether by the Alaska Power Authority, its agents, employees, contractors or sub-contractors.
6. The Alaska Power Authority will provide Ahtna with drawings which will show the visual effects of the proposed route.
7. The activities will be conducted so as to minimize any adverse impacts on the land and people.
8. Local Ahtna shareholders will be provided jobs to work on the project to the maximum amount practicable.

Ahtna enjoyed meeting with Bob and Del and looks forward to working with you in the future on this project.

Yours truly,



Robert M. Goldberg
Counsel for Ahtna, Inc.

RMG:jrm

Encl. Exhibit "A"

cc: Herbert Smelcer
Ahtna General Manager

EXHIBIT "A"

AHTNA INCORPORATED

The below listed sections contain land to which this survey permit applies:

T15S, R6W, F.M.

Sections 4 through 9, 17, 18, 19, 30, 31

T15S, R7W, F.M.

Sections 1, 13, 24, 25, 26, 35, 36

T16S, R6W, F.M.

Sections 6, 7, 18, 19, 30

T16S, R7W, F.M.

Sections 1, 12, 13, 24, 25, 36

T17S, R7W, F.M.

Sections 1, 2, 10 through 15, 19 through 36

T18S, R7W, F.M.

Sections 2 through 10, 16 through 20, 30

T18S, R8W, F.M.

Sections 1, 10 through 36

T18S, R9W, F.M.

Sections 25, 35, 36

T19S, R8W, F.M.

Sections 4, 7, 8, 17, 18, 19, 20, 30

T19S, R9W, F.M.

Sections 1, 2, 3, 9 through 15, 20 through 29,
32 through 36

ALASKA POWER AUTHORITY

334 WEST 5th AVENUE - ANCHORAGE, ALASKA 99501

Phone: (907) 277-7641
(907) 276-0001

SUSITNA LAND QUESTIONS FOR F.E.R.C.

1. May project facilities of the type listed below be placed on leased Land?
 - a. Dam and penstock
 - b. Impoundment area plus up to 200 feet surrounding the impoundment area.
 - c. Village sites, construction camps, air strips and service areas.
2. If such facilities cannot be placed on leased land, can they be conveyed to the Power Authority subject to a reversionary clause to take effect at such time as the area is no longer used for power project purposes.
3. The Power Authority is required by FERC to control a maximum area of up to 200 feet surrounding the impoundment area. What is the minimum number of feet around the impoundment area that the Power Authority must control?
4. Will the aliquot parts method of land description as currently being used by the Power Authority to describe the 200 foot surrounding the impoundment area be acceptable?
5. May the Power Authority award control of any or all recreational development within the project boundaries to a private corporation, and if so, with what restrictions?
6. FERC regulations require that land ownership and proposed uses be identified "within and abutting the project boundary". What size area is meant to be included by this clause?
7. How general a statement of future anticipated land uses will FERC accept from private owners (i.e., native corporations) of lands in and abutting the project area?
8. Would access to project facilities obtained by leasing a private road be acceptable.
9. What is the width of the transmission line Right-of-Way which must be identified upon submission of the FERC License Application?
10. Is it necessary to include in the FERC License Application a project land acquisition scheme and schedule?

ALASKA POWER AUTHORITY

334 WEST 5th AVENUE - ANCHORAGE, ALASKA 99501

Phone: (907) 277-7641
(907) 276-0001

MEMORANDUM

August 6, 1982

TO : Dave Wozniak
Richard Fleming
Gary Ransom

FROM : Charlie Isgar ←
Robert Mohn *ptm*

SUBJECT: Susitna Hydroelectric Project Licensing,
Meetings of August 3 & 4, 1982

1. Paul Carrier indicated that the lands required for the project are those minimally necessary to construct and operate the project. The rights in those lands must be, at a minimum, those necessary to insure the operation of the project. FERC prefers fee simple ownership but easements or leases are acceptable land rights. However, the agreements for those easements and leases must be for a minimum of fifty years in keeping with the period of the license. Generally, FERC will be flexible on the project boundaries. The key in the reservoir area is to insure that sufficient land has been identified to take care of maximum anticipated inundation. Phil Hoover of Acres is responsible for Exhibit "G" which is the portion of the license addressing project boundaries. Phil will insure proper definition of the boundaries and will advise us of alternatives regarding the extent of project boundaries. FERC indicated that the Power Authority is free to award control of any or all recreational development within the project boundaries to a private corporation. However, it is the responsibility of the Authority as the licensee to insure that the recreational development occurs in consonance with the license. A land acquisition scheme and schedule is not required by regulation, but Paul indicates that such a plan would be helpful. It should be included in Exhibit "G". Phil Hoover has the lead on this item. Charlie is welcome to call Phil to insure Phil is sensitive to possible problems. (301-992-5300)

2. Paul indicated that the temporary facilities, such as construction camps, do not have to be within the project boundaries although it does not adversely affect the license to include them within the boundary. Paul did not see any problem in changing the construction plan or the construction camp layout or location during the licensing process. Any alternative project arrangements that we conceive as at all likely should be identified in the license application so that they can be treated in the environmental impact statement. This will permit more rapid license revisions later on if we decide to move to an

alternative. This would include access alternatives, transmission corridor alternatives, alternative project flow regimes, etc. Richard take note.

3. The plan for preparation of the license application exhibits, with the exception of Exhibit "E", offered by Acres was generally acceptable. The plan allows for FERC and Power Authority review and generally includes some float time in case of emergency. Dave Willett assured us that sufficient Acres resources would be made available to comply with the plan as proposed. Acres was requested to prepare a plan, including personnel responsibilities and scheduling, for selection of the transmission corridor from Watana to the Intertie. This will be undertaken as soon as the access plan is determined. Acres was also requested to prepare a plan, including personnel responsibilities and schedule, leading to the decision on the project operation scheme. Both of these items, the transmission corridor selection and the decision on project operation, are essential ingredients to the timely preparation of license application exhibits. Dave Wozniak is responsible for insuring that these two items are provided by Acres and the schedules complied with.

4. Acres will provide the Power Authority with a list of documents that will accompany the license application, along with the required number of copies. The Power Authority, under the lead of Dave, will set aside those required documents and prepare them for shipment when required.

5. In a meeting with Don Giampoli, FERC review of draft license application documents was discussed. FERC is very willing to offer such a review. John Lawrence will follow up on this matter with Ron Corso in the near future. The scheduling of draft documents for review should be coordinated by Phil Hoover with Paul Carrier for all items and also with Mark Robinson for Exhibit "E" items. Both the Division of Hydropower Licensing under Corso and the Division of Environmental Analysis under Edson are requiring coordination by the applicant. Neither entity seems willing to let the other be the primary contact. As a result, we will have to be very careful to keep both sides informed and try not to step on either's toes.

6. Acres will provide the access decision paper on August 16, 1982 for immediate distribution to the Board of Directors of the Power Authority. Richard Fleming is charged with insuring that Acres is provided copies of all letters from resource agencies just as rapidly as possible upon receipt. Dave has a similar responsibility for letters from Native land owners and engineering firms.

7. Acres will present their plan for the preparation of the sections of Exhibit "E" on or about August 20, 1982. Richard Fleming and Robert Mohn, as a minimum, should attend this presentation. We decided after some discussion that letters would be sent to each agency in the very near future requesting agency comment and guidance in preparing mitigation plans for various aspects of the Susitna project. This letter will be a follow-on to the letter that accompanied the draft

feasibility reports last Spring. Prior to sending that letter, John Hayden will insure that Acres environmental staff and key environmental team leaders review the consultation to date by each agency. That review will include both documentation of consultation (whether it be meetings, letters, etc.) and a summary of the content of that consultation. This previous consultation should be referenced in the letters requesting the next round of advice. Richard Fleming has the lead to insure that this review of previous consultation and documentation of that consultation is accomplished in the very near future. Richard should include Dave to insure that all previous consultation is identified. The Linda Dwight report is a good example of something that should be included in this historical accounting of previous consultation. Also be sure to include the very recent ADF&G letter dated July 27, 1982.

8. Richard Fleming has the lead on determining the capability and acceptability of individuals that Acres is proposing as principle authors for the recreation, land use and aesthetic sections of Exhibit "E". Richard should deal directly with John Hayden on this matter. I will call Dave Hickock of AEIDC and have already called Larry Moulton of Woodward-Clyde to convey our very deep concerns that those two entities are not gearing up with sufficient speed and enthusiasm to tackle the very important job facing them.

9. From now on, contacts on matters other than substantive environmental issues with John Hayden should be minimized. These administrative matters should be funnelled through Vern Smith or other Acres staff. The objective here is to free John Hayden so that he can concentrate on the environmental program and the coordination of that program.

- Minutes of Meeting -

Subject: Susitna Hydroelectric Project Workshop - FERC License Application
Exhibit E, Presentation and Discussion

Location: Holiday Inn, Anchorage, Alaska

Attendees: see attached

Date: Monday, November 29, 1982 1:00 P.M.

Minutes recorded by: Michael P. Storonsky

I. Introduction - Dr. Richard Fleming (APA)

A) Summary:

Dr. Fleming provided an overview of the purpose of the workshop, the schedule of the license application process and introduced some of the attendees.

B) Purpose of Workshop:

To provide an informal informational session for the various agency attendees. Solicit comments and concerns to improve the final license document to be submitted to the FERC.

C) Schedule:

- submitted draft Exhibit E to the FERC and the various agencies
November 15, 1982
- workshop week of November 29 - December 3
- prepare and distribute a copy of the minutes of workshop week of
December 6
- incorporating agency comments into draft as received
- meeting with the FERC staff December 28 to receive their comments on
draft application
- agency comments due January 15, 1983
- submitting final license application to the FERC February 15, 1983

- a supplementary report of 1982 fisheries data to be submitted in June 1983.
- additional supplements as necessary

D) Introduced representatives of the Harza/Ebasco/ team that will be handling Phase II of the Susitna Project.

II. Project Operational Description - Dr. John Hayden (Acres)

A) Summary

Dr. Hayden first provided a slide presentation of the major project features and location, and then a series of overhead viewgraphs of the filling and operational processes. Through the use of wall maps Dr. Hayden provided a description of the access routes and transmission lines, their locations and schedules of development. Following an intermission Dr. Hayden outlined the organization of the workshop for the balance of the week.

B) Major Project Features - Watana

- overview of the drainage basin and the relative position of the dams
- location of the proposed damsite looking both upstream and downstream
- location of the proposed borrow areas D&E, existing field camp, intake tunnel, emergency spillway
- project features discussed including the 54 mile length of reservoir, upstream boundary - just above the confluence with the Oshetna River, site of construction camp and village, and location of access road
- construction development schedule described
 - . access road construction
 - . diversion tunnel excavation
 - . completion of diversion cofferdams
 - . diversion of water through 2 tunnels, to be ultimately sealed
 - . plug tunnels 4 - 5 years into construction and begin filling reservoir
 - . complete dam, power facilities and above ground structures
- operation
 - . 1993

- . 120' depth of intake structures rather than previous 140' depth
- . 4 intakes levels
- . outlet facilities
- . main spillway for floods > 1:50 years
- . emergency spillway for flood > 1:10,000 years.

C) Devil Canyon Project Features

- location of the proposed site looking both upstream and downstream
- pertinent features
 - . access routes
 - . borrow area locations
 - . powerhouse location on north side of river
 - . long tailrace proposed to provide additional head
 - . 4 units at 150 MW = 600 MW Total capacity
 - . Fixed-cone valves will be used to maintain instream flow during filling as well as prevent gas supersaturation during operation.
 - . multiple level intake structure - 2 intakes within upper 50 feet of the reservoir.
- Operational Data
 - . 50' drawdown in August of some years
 - . commissioning date 2002

D) Filling and Operation Processes

(i) Minimum flow requirements at Gold Creek

- Filling

- . 1000 cfs in winter
- . 6000 cfs in spring
- . flows spiked to 12,000 cfs in August and through mid Sept.

- Operation

- . 5,000 cfs in winter
- . spring and summer same as during filling

- (ii) Filling Process for Three Filling Scenarios Based Upon the 32 Years of Historical Hydrologic Data
 - three year filling flow scenarios examined with
 - . 90% chance of exceedence
 - . 50% chance of exceedence
 - . 10% chance of exceedence
 - filling begins 1991 - 1993
 - not a lot of difference between 3 scenarios
- (iii) Comparison of Monthly Average Pre-project and Filling Flows at Gold Creek, Sunshine and Susitna Station
 - greatest % change in the summer time
- (iv) Operational Water Levels at Watana
 - normal maximum elevation 2185'
 - surcharged to 2190' during September after the risk of floods diminished
 - mean drawdown 105'
 - maximum drawdown 120'
 - maximum, minimum and mean drawdown scenarios compared
 - very slight water level change with Devil Canyon on line
- (v) Devil Canyon Water Levels
 - wet years; reservoir full all year
 - mean years; 50' drawdown in August and September with filling as rapidly as possible in October
 - dry years; slight drawdowns during April - May also
- (vi) Comparison of Monthly and Annual Pre-project and Post-project flows with Watana alone and with both projects on line
- (vii) Operation of Projects
 - Watana alone will be operated as a base-load plant
 - with Devil Canyon on line, Watana will be peaked and Devil Canyon will be base-load

G) Other

- pursuant to a question from the audience
 - . outlined project boundary
 - . identified land holdings in the area: native, private and state
- set of drawings of project reproduced from Exhibit F provided

INTERMISSION

H) Organization for Balance of Workshop

- Identified groups, group leaders, and locations and times of meetings
- (see attached agenda).

MEETING ADJOURNED

LIST OF ATTENDEES
SUSITNA HYDROELECTRIC PROJECT WORKSHOP

Holiday Inn, Anchorage, AK

Monday, November 29, 1982

<u>Name</u>	<u>Organization</u>	<u>Telephone</u>
Michael P. Storonsky	Acres	276-4888
Philip Hoover	Acres	"
Thomas Lavender	Acres	"
Tony Burgess	Acres	"
Michael Grubb	Acres	716-853-7525
Charlotte Thomas	Alaska Power Authority	276-0001
Steve Fancy	LGL Alaska	479-2669
Martha Raynolds	LGL Alaska	274-5714
Robert Sener	LGL Alaska	274-5714
Dave Tremont	Dept. Commerce/ Regional Affairs	264-2206
	Cook Inlet Region, Inc.	274-8638
Roland Shanks	Acres	276-4888
Priscilla Lukens	Harza/Ebasco	277-1561
Michele Urban	Alaska Power Authority	276-0001
Tom Arminski	USFWS	271-4575
Leonard Corin	Woodward-Clyde	276-2335
Larry Moulton	Woodward-Clyde	276-2335
Jean Baldridge	DNR - DLWM	276-2653
Keith Quintavell	Alaska Power Authority	276-0001
Robert Mohn	Alaska Power Authority	"
George Gleason	Harza/Ebasco	277-1561
John Bizer	Harza/Ebasco	"
Jack Robinson	Harza/Ebasco	"
Randy Fairbanks	Harza/Ebasco	"
Gary Lawley	Harza/Ebasco	"
George S. Smith	University of AK Museum	474-7818
E. James Dixon	University of AK Museum	"
B. Agnes Brown	Tyonek Native Corp.	272-4548
Carole A. Ellerbee	Tyonek Native Corp.	"
Robert M. Erickson	EDAW, Inc.	274-3036
Tim Smith	DNR-Parks (History and Archaeology)	264-2139
Richard Fleming	Alaska Power Authority	276-0001
Bob Madison	USGS-WRD	271-4138
Bob Lamke	USGS-WRD	"
Bob Martin	ADEC	274-2533
Don McKay	ADF&G	267-2284
George Cunningham	ADF&G	344-0541
Randy Cowart	ADNR-R&D	276-2653
Al Carson	ADNR	276-2653
Paul Janke	ADNR	"
Gary Prokosch	ADNR-Water	276-2653
Mary Lu Harle	ADNR-Water Management	"
Robin Hill	Frank Orth & Associates	206-455-3507
Peter Rogers	Frank Orth & Associates	"
Steve Zrake	ADEC	274-2533

LIST OF ATTENDEES - cont..

<u>Name</u>	<u>Organization</u>	<u>Telephone</u>
Jan Hall	USFWS	263-3403
Gary Stackhouse	USFWS	263-3475
Brad Smith	NMFS	271-5006
Bill Lawrence	U.S. EPA	271-5083
Floyd Sharrock	NPS	271-4216
Bruce Bedard	Alaska Power Authority	276-0001
Ann Rappoport	USFWS-WAES	271-4575
Bob Everett	ESSA Ltd.	274-5714
Eric Myers	NAEC	276-4244
John Rego	BLM	267-1273
Lee Adler	Ahtna Inc.	822-3476
Bill Wilson	AEIDC	279-4523
Chris Godfrey	COE	552-4942
Ted Rockwell	USCE Reg. Function	"
Larry M. Wright	NPS	271-4236

CULTURAL RESOURCES MEETING

Anchorage Holiday Inn

November 30, 1982

Subject: Mitigation Planning for Susitna

Purpose: To review research design and methodology used in 1980-82 work.

To review and discuss draft FERC License Application.

To discuss cost effective means by which the initial survey may be completed.

To seek approval from the SHPO on the overall mitigation approach.

To resolve differences between APA and University of Alaska Museum subcontractors.

In Attendance: Beth Walton, State Archeologist, Bureau of Land Management
Diana Riggs, Department Natural Resources
Tim Smith, State Office of History and Archeology
Floyd Sharrock, Chief Archeologist, National Park Service
George Smith, Project Leader, University of Alaska Museum
E. James Dixon, Curator of Archeology, University of Alaska Museum
Richard Fleming, Alaska Power Authority
Don Follows, Acres American Incorporated

Guests: Phil Hoover, Acres American Incorporated
Jack Lobdell, Consultant

The Cultural Resources Program Manager, Don Follows, opened the meeting at 9:10 a.m. in Room 227 of the Holiday Inn, Anchorage. After the introductions, the point was made how critical the cultural resources are to the hydroelectric project schedule. Compliance with Section 106 of the Historic Preservation Act of 1966, Executive Order 11593 and Title 36, Part 800, Code of Federal Regulations and related laws direct the process for Cultural Resources investigation and mitigation planning.

Dr. Dixon presented a synopsis of the field work which has been completed and reported on over the past three field seasons. To date, about 50 percent of the total project area has been surveyed. Of special interest is the location of four tephras which provide dating references for the artifacts recovered. It is hoped that the cultural chronology of the region can be for the first time established.

Dr. Dixon explained that in his approach to mitigation planning the term "potential impacts" had been developed to address those sites outside the adversely effected areas. This third category allows for a more flexible means by which to account for the unexpectedly large number of sites recorded

CULTURAL RESOURCES - 2

(167) to date. Potential impacts will not require systematic testing, but should be monitored from time to time by those appropriate land managers.

Dr. Sharrock (NPS) asked at what point the Advisory Council on Historic Preservation should become involved in the project. The information that both Acres and the APA had received in separate meetings with FERC in Washington, D.C. was that FERC would not contact the council until the basic reconnaissance was completed within two more seasons of estimated work.

If this is so, serious scheduling problems arise with FERC requiring the Cultural Resources field survey to be completed in one field season. The Alaska summer is only 2.5 months long. The project size and remoteness introduce unique conditions under which a large workforce can become less efficient because of support logistics required. Based on his many years of Alaska experience, Dr. Dixon felt it would be unrealistic to expect completion in one year. It was the group consensus that two years would be best.

Another significant factor in attempting to complete the work in one field season is the Alaska Power Authority fiscal year which begins July 1. Unless funds are available at present time to launch the spring 1983 workforce, the goal will be difficult to attain because of the University's administrative procedural delays in hiring employees.

Dr. Fleming said that a decision on the matter will be made by the end of January.

In summary, the group consensus seemed to favor a two year survey program as outlined in the mitigation plan, and the early (if possible) involvement of the Advisory Council on Historic Preservation so that eligibility determination for the National Register can begin in a manner which satisfies the FERC scheduling concerns.

In a prior meeting with APA and the subcontractor on the 29th, the mitigation plan was discussed. Because of final editing of the mitigation plan in Buffalo, New York, by the APA, the previous goal of seeking approval from the State Historic Preservation Officer was not requested at the November 30th meeting. Numerical differences in reported data are a source of conflict between APA and the University of Alaska Museum scientists. Dr. Fleming and Hayden will resolve the conflict in separate meetings prior to January 15th. The potential impacts on cultural resources from the recreation plan developments also need to be determined prior to the final draft.

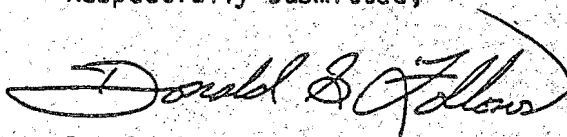
In a third meeting involving Cultural Resources, Mr. Gary Lolly and Mr. John Robinson of Harza-Ebasco were requested by Dr. Fleming to meet with Dixon and Smith to discuss the magnitude and project logistics required for a one year survey completion and to make them aware of the program needs in general.

Dr. Dixon will revise his budget to provide the option of completing work in one year. The meeting with FERC in December will provide more direction for the APA management decision.

CULTURAL RESOURCES - 3

Phil Hoover will meet with FERC the end of December to discuss the involvement of the Advisory Council.

Respectfully submitted,

A handwritten signature in cursive script, reading "Donald S. Follows". The signature is written in dark ink and is positioned above the printed name.

Donald S. Follows

ATTENDANCE LIST

Land Use Workshop
Tuesday, 11/30/82

Charlotte Thomas	Alaska Power Authority
Robin Hill	Frank Orth & Associates
Ron Stanek	Alaska Dept. Fish & Game
Herb Smelcer	Ahtna Inc.
Bruce Bedard	Alaska Power Authority
Steve Simmons	Harza-Ebasco
Nancy Blunck	Alaska Power Authority
Randy Cowart	ADNR-R&D
Robert Erickson	EDAW, Inc.
Dave Tremont	Alaska Dept. of Community & Regional Affairs
Priscilla Lukens	Acres American
Kevin Young	Acres American

LAND USE

Questions & Comments

1. The Power Authority should request DNR to consider lands suitable for exchange. Alternative potential lands are becoming limited. DNR has not commenced such a study.
2. Clarification was requested on the content of Section 24 of the Federal Power Act.
3. It was questioned as to whether or not CIRI is subject to Section 14C of ANSCA regarding reconveyance of lands to the villages.
4. Discussion occurred regarding induced land use changes resulting from public pressure to provide increased access, i.e., potential of fishermen wanting improved access to Portage Creek.
5. Concern was expressed about the compatability of the proposed access plan with the Denali Scenic Highway plan.
 - Discussion related to potential recommendations of the ongoing Denali Scenic Highway study. The report will need to be adopted by the Land Use Council before being released.
6. It was suggested that an assessment should be conducted on the long term economics value of having a more appealing access road.
7. A suggestion was made that a land use committee be established. The potential of having the Power Authority participate on the Mat Su land use planning team was discussed as an option.
8. Locally a request was made for a new substation at Cantwell as part of supplying construction power to the site.
9. It was identified that additional assessment of land use change at the community level will be required.
10. It was mentioned that Native concerns should be presented in the FERC license application
11. The Natives are not making further plans on their ^{lands} loads until definitive project requirements are received. The Natives could propose the following land use alternatives; acquisition, right-of way, lease or exchange.
12. Effects of land acquisition procedures on land use development were discussed.

ATTENDANCE LIST

WORKSHOP ON RECREATION
December 1, 1982

Larry Wright, USNPS

Randy Cowart, ADNR

Gary Stackhouse, USFWS

Dave Dapkus, USBLM

Mike Mills, ADF&G

Roland Shanks, CIRI

Jack Wiles, ADNR

Richard Fleming)

Bruce Bedard) APA

Nancy Blunck)

Gary Lawley)

Jack Robinson) Harza-Ebasco

Peter Rogers)

Robin Hill) Frank Orth & Associates

Bob Erickson)

Jim Chappell) EDAW, Inc.

Kevin Young)

Priscilla Lukens) Acres

COMMENTS RECEIVED

WORKSHOP ON RECREATION
December 1, 1982

1. Questions were asked regarding FERC policy on location of facilities off-site. FERC is in agreement that, as in this case, when recreation resources are off-site and not at the reservoirs, it is acceptable to develop off-site facilities. State Parks is in agreement.

APA stated their position is to a) take advantage of project facilities (roads & reservoirs), b) be responsive to landowners (avoid trespass), c) direct use away from sensitive fish, wildlife and archaeologic resources.

2. Why is an expansion of Brushkana campground recommended? The need has been discussed already by BLM and it appears in their management plan. The project will increase demand for camping along the Denali Highway and this is a logical location. It will also keep some auto traffic from penetrating the project area. BLM will manage the area, and BLM and APA will enter into a memorandum of understanding regarding costs.
3. State Parks Department is pleased with the plan as presented and confirmed that it is in agreement with the state-wide recreation plan "DNR supports the plan".

State will open a new trail along Curry Ridge line, from Coal Creek to Troublesome Creek, in 1983. They would like EDAW to consider adding three whistlestops, consisting of small campsites and possibly shelter cabins, at Gold Creek, Curry Ridge and Indian River.

4. Is a full range of recreation facilities provided at Watana Village and are facilities provided for other than rugged hikers? Yes, extensive recreation facilities and activities are included in the plan for the village. Then is a full range of recreation opportunities provided in the recreation plan, from driving and pull-offs along the road, to a visitor center with educational exhibits, to rugged hiking.
5. There are no improved trails in Denali National Park. Why does State Parks want improved trails here? Brushing out and hardening will be done only where necessary (e.g., in close-in forested areas). In further out open areas, rock cairns may be all that is necessary.
6. Concern was mentioned about Caribou kills on the Denali access road. The report recommends lower design speed and lower profile for that road (Section 8, Aesthetics). Caribou kills are not known to be a problem on the Denali Highway now. The Denali Highway presently has an AADT of 50 vehicles; Parks Highway, 200. The project is projecting 20 truck trips/day. Worker travel will most likely be regulated. While no firm traffic projections on the Denali access road are available, it will be much lower than the Parks Highway today and lower than the Denali Highway at that time. Recreation traffic will be limited primarily to July, August and September.

COMMENTS RECEIVED
WORKSHOP ON RECREATION - cont...

7. Are any facilities proposed adjacent to the north access road?
In addition to the turn-outs and trailheads shown on the project maps, rehabilitation of borrow areas for camping is a "Phase 5" item. They cannot be located at this time because the location of borrow areas is not known. A note to this effect will be added to the map.
8. Why do we assume that demand will build up over time and not be instantaneous when the facilities open (p E-7-42)? National Park Service experience has shown this to be the case, even in well-known recreation areas. It takes time to build a sustained market. If a new salmon fishing area close to Anchorage were opened, it would get immediate heavy use. Susitna is not that type of area.
9. Demand figures were discussed and agreed with; if anything, they may be high. This is why some facilities have been put in Phase 5.
10. What is the capacity of the Susitna River Boat Launch? 6 vehicle places. This will be checked against DOT's Denali Highway Study.
11. Three facilities require Native concurrence - the Chulitna trail, Fog Lakes trail and campground, and Stephan Lake trail. Is there a statement that says land acquisition costs will be in addition? Yes. The plan also recognizes that additional private recreation development may take place on private land.
12. The plan should mention that snowmobiling will probably increase along the Denali Highway. No specific areas need to be set aside.
13. Page E-7-39, paragraph 3 states fishing is decreasing. The data source should be re-checked to confirm this.
14. Capital investments will be part of APA project financing. Operational costs will be partly done as part of regular APA operations (e.g., providing helicopter rides to park rangers), and partly via MOV's with the agency in question.
15. Effects on downstream recreation appear to be mixed. Water quality will improve but quantity will decrease.

ATTENDANCE LIST

WORKSHOP ON AESTHETICS
December 1, 1982

Larry Wright, USNPS ✓

Randy Cowart, ADNR ✓

Gary Stackhouse, USFWS ✓

Roland Shanks, CIRI

Jack Wiles, ADNR ✓

Bruce Bedard)

Nancy Blunck) APA

Bob Erickson)

Jim Chappell) EDAW, Inc.

COMMENTS RECEIVED

Workshop on Aesthetics
December 1, 1982

1. Be sure that discussion of Denali access road clearly states our recommended restudy of that alignment.
2. It was suggested that a mitigation measure be to take a film of the river from Tyone River to Gold Creek today, and again periodically after construction, in a "time-lapse" fashion.
3. Discussions of the construction camps and the townsite took place, with agreement that additional location studies and design studies are required.
4. Discussions of the transmission lines took place, with agreement the the north and south stubs need additional location studies but the line from the powerhouses to the intertie is well located.

WETLANDS MEETING - 2

- RF - According to Cowardin's definition then, wetlands were appropriately mapped for the Susitna Project.
- JH - Some plant species occur only in wetlands. Many, however, occur in both wetland and upland areas. Then you have to look at the other criteria.
- RS - In order to identify procedures and criteria for wetland mapping, we need to know if the Corps accepts Cowardin for Section 404 permitting.
- TR - We accept and use Cowardin, but it is not always sufficient for Section 404 decisions. Often the USCE jurisdictional boundaries are different from the wetland boundaries. The National Wetlands Inventory (NWI) maps are at a good scale for large projects. However, we often need soil data because all three parameters (flooding, hydrophytes, and hydric soil) are necessary to define USCE wetlands. The Corps also needs hydrologic data to know how a given wetland ties into the watershed.
- RF - The huge scale of the project area (over 60,000 acres) makes it difficult to map. How much sampling would be necessary?
- TR - Sampling areas can be representative of other areas. Maps are only needed of impact areas: roads, borrow sites, camp sites, etc. No wetlands maps of the impoundment areas are needed.
- JH - For USFWS, you do need wetland maps of the impoundment area.
- RF - No need for soils maps of the impoundment.
- JH - Slopes should not be arbitrarily excluded from wetland categories. Larger scale color infra-red photography should have been used. In the Tanana River basin, USFWS is using the Viereck and Dyrness classification system and a wetlands modifier to map the area. The resulting map is easy to convert to the Cowardin classification system. The water regime modifiers in Cowardin's system are especially useful to USCE.
- RS - Remapping of vegetation will be done to Level 3 and beyond for moose browse vegetation types.
- RF - For most areas, we have vegetation maps and slope is available from contour maps. Might need more soil work.
- TR - Once we have maps of the vegetation, hydrology, and project impacts, we'll be able to see where more data such as soil types is necessary.
- RS - Are the soil parameters USCE needs available from engineering borings and soil pits?

WETLANDS MEETING

Thursday, December 2, 1982

Holiday Inn, Anchorage, Alaska

ATTENDEES

<u>Name</u>	<u>Organization</u>	<u>Address</u>	<u>Phone No.</u>
Bruce Bedard (BB)	Alaska Power Authority	Anchorage	276-0001
Roseann Densmore (RD)	Envirosphere	Anchorage	277-1561
Chris Godfrey (CG)	USCE Reg. Functions	Anchorage	552-4942
Michael Grubb (MG)	Acres American Inc.	Buffalo	716-853-7525
Jon Hall (JH)	USFWS, NWI	Anchorage	263-3403
Priscilla Lukens (PL)	Acres American Inc.	Anchorage	276-4888
Dave McGillivray (DM)	USFWS, Regional Office	Anchorage	276-3800
Ann Rappoport (AR)	USFWS, WAES	Anchorage	271-4575
Martha Reynolds (MR)	LGL Alaska	Anchorage	274-5714
Ted Rockwell (TR)	USCE Reg. Functions	Anchorage	552-4942
Robert Sener (RS)	LGL Alaska	Anchorage	274-5714
Bill Steigers (BS)	U of A, Ag. Exp. Sta.	Palmer	745-3257
Judy Zimicki (JZ)	No.Ak. Environmental Ctr.	Anchorage	277-2134

RS introduced the meeting. He discussed the ambiguity of the wetlands classification system used in previous mapping. The goal of this meeting was to come up with a practical method of defining and mapping wetlands to facilitate Army Corps of Engineers (USCE) permitting under Section 404 of the Clean Water Act and possibly Section 10 of the Rivers and Harbors Act of 1899, and to aid facility siting. LGL is looking into the possibility of incorporating wetlands mapping as part of the vegetation re-mapping program.

MR presented a summary of wetlands work that has been done to date. Some work was done to characterize aquatic vegetation of ponds in the project area. That work has been presented as part of Chapter 3 in Exhibit E. Wetlands mapping was done using the Cowardin classification system of the U.S. Fish and Wildlife Service (USFWS). Two sets of maps were produced. One, at a scale of 1:24,000, consists of 7 maps of the two impoundment areas. The other, a set of 3 maps at a scale of 1:63,000, mapped alternative access routes. Vegetation maps of the same scale were used as base maps. A system for converting Viereck and Dyrness vegetation classes to Cowardin vegetation classes was developed (see Table 46, Phase I Report, Plant Ecology). Using Cowardin's definition of wetlands, all wet herbaceous, all shrub, and all forest vegetation-types were mapped as potential wetlands. A subjective judgment of slope was made to eliminate steep, well-drained areas. No re-interpretation of the imagery or ground truthing was done.

JH, when asked how USFWS maps wetlands, replied that they use aerial photography, following the Cowardin system, look for one of three characteristics: flooding, hydrophytes, or hydric soils.

WETLANDS MEETING - 3

- RF - Some soil maps exist, though I don't know their scale or adequacy.
- RS - The Soil Conservation Service has not mapped all of the Susitna area. Several questions still need to be answered:
- 1) Appropriate level of detail of vegetation mapping to be useful for wetlands classification?
 - 2) What soil parameters are important to USCE?
- JH - Even Level 4 of the Viereck and Dyrness system doesn't allow direct conversion to wetland categories. Often, other data are needed.
- TR - Ground truthing will be very useful. The USCE personnel who will be responsible for permitting should go along.
- RF - What time of year is best for ground truthing?
- TR - Anytime during the growing season.
- RS - The people doing the vegetation mapping will be working on the ground truthing next summer.
- JH - With a group of people who are familiar with the area, we should be able to sit down with the USCE and a wetlands map and decide which areas need USCE permits and which areas are marginal and need ground-checking.
- RS - Is it proper procedure to involve USFWS and USCE in the preliminary process and ask you to review drafts?
- JH - I'd be glad to work with you.
- TR - Yes, certainly, we prefer it that way.
- BB - Have you discussed the types of permits required? They are:
- Section 404 - all waters of the U.S.
 - Section 10 - navigable waters - below Devil Canyon.
 - U.S. Coast Guard - navigable waters - south of Portage Creek.
- TR - The USCE definition of navigable waters may not be the same as other agencies. If Section 10 jurisdiction hasn't been taken yet by USCE, then it will not be.
- RS - We need to alter the approach to vegetation mapping to be sure to distinguish wetlands. We may need to map more vegetation types beyond Level 3.
- RF - Only in access and transmission corridors.

WETLANDS MEETING - 4

- RS - We can restrict the mapping to known corridors and impact zones. The major borrow areas for the dams have also been identified. The borrow areas for the access road have not been finalized, but some potential borrow areas have been indicated.
- RF - Those potential borrow areas aren't likely to change much.
- RS - What should be included in FERC application? I would suggest:
- 1) Wetland maps already prepared.
 - 2) Discussion of their preparation and coverage.
 - 3) Plans to rectify problems.
 - 4) Revised maps coming later. (The new maps can be submitted as supplements when they are done).
- JH - I would be concerned about including the old maps.
- TR - Could you modify the old maps by double-checking them with some aerial photography?
- RF - Might be possible, but probably not by February 15.
- JH - It would only take 3-4 days to map wetlands in the whole area (impoundments only). The cartographic work, however, would take awhile. From the slides (John Hayden's talk on Monday), upland wetland areas looked fairly easy to define.
- RS - We want to confirm to FERC that we are handling wetlands thoroughly. We should list soil features that will be supplied to USCE.
- TR - USCE needs soil profiles, from the litter layer down to ground water, depth to ground water, chroma, mottling, gleying, soil type, location of soil pits. Primary interest is in the root zone, the top 18" - 24". We would be glad to work with any field personnel for a few days to explain the USCE requirements and sampling methods.
- TR - A few days work should give us a fairly good jurisdictional map.
- JH - The first step would be a wetlands map; regulatory wetlands will be a subset of that.
- TR - Final COE regulations are expected by December 15. Our jurisdiction could change.
- DM - JH might be interested in talking to Dr. Talbot who did some vegetation sampling in the Susitna basin several years ago.

WETLANDS MEETING - 5

AR - I would like to clarify the timing - the vegetation maps will be drawn up first, so there will be no new maps by February 15. Would the new wetlands map be ready by June?

RS - The vegetation and wetlands mapping will take all spring. We hope to have the preliminary maps by June 30. Ground truthing will be done during the summer, then the final maps will be drawn up. FERC has stated that they will welcome any new data or maps after the June 30 submittal.

RS - To summarize our agenda:

- 1) Get together with Jon Hall and Ted Rockwell to identify appropriate level of detail for vegetation mapping.
- 2) Clean up previous work using aerial photography.
- 3) Prepare discussion of mapping, past and future, for February 15 submittal.
- 4) Coordinate with USCE to get soils data.
- 5) Summer ground truthing.
- 6) Fall: final maps available.

TR - When do you expect to need the first USCE permit?

RS - For building the access road.

MG - Access road construction is scheduled to begin spring 1985.

TR - After the final maps are available in late fall 1983, there will still be time for further field work in the summer of 1984. If construction begins before 1985, then all permit fieldwork has to be done next summer.

RS - There may be wetlands permits required for test drilling and other pre-construction field activities that are planned for next summer.

TR - If so, they should be identified this winter to avoid any permitting delays.

BB - There will be a major staging area around Cantwell, widening the Denali Highway, and a transmission line from Cantwell to Watana. These activities may also need permits. Will the Section 404 permits require socioeconomic input?

TR - Section 404 is not strictly biological, but must also consider the public interest which includes socioeconomics, etc.

RS - How should wetlands be included in various sections of the FERC application?

WETLANDS MEETING - 6

- MG - The whole wetlands section could be repeated verbatim in both the Botanical and Land Use sections.
- RS - I would suggest that permit related discussions go into the Land Use chapter of Exhibit E, and biological discussions into the Botanical Resources section of Chapter 3.
- RS - I would like to set up a project/agency group that will work together on a regular basis. (General agreement).
- BB - Someone should look into the Section 10 question.
- TR - I'll do that and use RS and RF as contacts.
- AR - Any plans for future work on wetlands should be clearly laid out in the application.



SUSITNA HYDROELECTRIC PROJECT

OFFICE MEMORANDUM

RECEIVED

DEC 22 1982

TO: See Distribution

Date: December 21, 1982

ALASKA POWER AUTHORITY

FROM: Robert Chamberlain

File: P5700.07.07

SUBJECT: SUSITNA - Information Package for Access and Transmission

Recent comments from FERC have indicated that in general the treatment of both the transmission line and the main access road throughout Exhibit E is incomplete. Specifically a more thorough discussion is required regarding identification of impacts and explanation of mitigation measures. The identification of impacts is to be discussed as fully as the existing data allows, and where data is incomplete explanations given as to why and when the data will be provided. The discussion of mitigation is to describe what changes have taken place since the original route was selected (such as realignment in certain areas where wildlife or fisheries would have been impacted), and mitigation measures that will be adopted during construction (such as development of borrow areas, avoidance of newly discovered cultural resource sites). These discussions are to be supplemented by the use of maps and figures where appropriate.

Attached find an information package, the purpose of which is to present to all persons involved in the preparation of Exhibit E, the finalized alignments and key design features of, and associated with, the transmission line and main access road.

A detailed list of comments and deficiencies is expected from FERC later this week and will be circulated to you. If you have any questions, or points of clarification arising from this memorandum, or require any assistance in the preparation of figures etc. for the FERC license final draft please contact me at the Buffalo office.

Attachment


Robert Chamberlain
Access & Transmission Coordinator

RDC/pg

Page - 2

Distribution:

C. Debelius - Acres/Columbia
P. Hoover

J. Hayden - Acres/Anchorage
J. Gill
W. Dyok
D. Follows
M. Storonsky
P. Lukens

S. Thompson - Acres/Buffalo
J. Plummer
K. Young
M. Grubb
R. Steele

R. Mohn - APA
R. Fleming

~~REDACTED~~

R. Sener - LGL
L. Moulton - WCC
G. Smith - U of A
P. Rogers - FOA
R. Erickson - EDAW
R. Stutchberry

L. Kozisek - R&M
J. Coffin

RDC December 21, 1982

SUSITNA HYDROELECTRIC PROJECT
INFORMATION PACKAGE FOR
ACCESS AND TRANSMISSION

1. Route Modifications/Finalized Alignments

In the past week both the access road and transmission line have undergone minor route modifications. The finalized routing for each is given on the enclosed full sized 1 inch to 1 mile map dated December, 1982, and titled "Proposed Access Plan and Transmission Corridor." These plans supercede all previous maps and are to be used for the FERC license final draft.

The modifications made since the last set of plans was issued are:

- (a) Transmission line: An extra bend in the transmission line has been introduced in the Swimming Bear Lake area. The purpose of this change was to avoid siting towers on the steep hillside immediately adjacent to the access road. The alterntiave was to cross the road twice and locate the lines between the road and the lake. However, by keeping to the

north (uphill) side of the road visual and aesthetic impacts have been minimized.

- (b) Access road: The high level suspension bridge downstream of Devil Canyon has recently been redesigned. The revised location of the approach roads and bridge is reflected in the above map. The alignment of the road between the Denali Highway and Watana has been modified between Milepost (MP) 24 and MP 30. The reasoning behind this was to eliminate approximately 3 miles of difficult sidehill cutting around the drainage immediately west of Deadman Mountain, (it is likely that erosion related problems would occur with the prior alignment). To alleviate concerns about crossing Deadman Creek it has been decided to construct a bridge instead of a culvert, and thereby ensure adequate fish passage.

2. Access and Transmission Map

Besides showing the finalized location of the access and transmission routes the accompanying map also shows;

- (a) Mileposts every two miles along the proposed access route.

(b) Location of borrow pits for the access route

(c) Location of environmentally sensitive areas close to the proposed access and transmission corridors.

3. Access Road Data

(a) Design Parameters:

The design parameters for the access road are:

Surfacing	Unpaved (gravel surface)
Width of running surface	24 feet
Shoulder width	5 feet
Design speed	55 mph
Maximum grade	6%
Maximum curvature	5°
Design Loading	
- during construction	80 k axle, 200 k total
- after construction	HS-20

A 55 mph design speed was chosen for the efficient, economical and safe movement of supplies. However, in areas where a 55 mph design speed would result in excessively deep cuts and extensive fills the design speed has been reduced to 40 mph thereby allowing steeper grades and shorter radius turns.

(b) Mileages

The mileages of the various segments of the access plan are:

Railhead to junction Denali/Parks Highways	2.0 miles
Denali Highway segment (upgrade of present Highway)	21.3 miles
Denali Highway to Watana Camp	41.6 miles
Denali Highway to South side of Watana dam	44.2 miles
Watana to Devil Canyon segment	37.0 miles
Railroad extension, Gold Creek to Devil Canyon	12.2 miles

In addition note that the road will be paved from the railhead facility at Cantwell to four miles east of the junction of the Parks and Denali Highways. This is to eliminate the problem of dust and flying stones in the community of Cantwell.

(c) Roadway Construction

(i) Upgrade of Denali Highway:

The 21.3 miles of existing road along the Denali Highway will be upgraded to the standards mentioned in 3(a), however, the present alignment is such that any

realignment required should be possible within the existing easement.

(ii) Denali Highway to Watana damsite:

The section of road from the Denali Highway to the Watana camp (41.6 miles) follows terrain and soil types which, for the most part, allow construction using side borrow techniques. This technique results in minimum disturbance to areas away from the alignment by confining road construction activities to a narrow strip each side of the finished roadway. The borrow material required to form the road surface is excavated from trenches directly alongside the road as shown in sketch SK R001 attached. This sketch illustrates the construction process from the first step of stripping away the overburden to the final step of rehabilitating the slopes. Careful phasing of the various construction stages allows all stripping, excavation, road construction, backfilling and revegetating to be handled within the limits of the trench excavations, thus limiting disturbance to an area 50 feet to 70 feet each side of the road centerline. The advantages of this type of construction over conventional end dumping techniques are:

- the finished road section is such that the crown of the road is only 2 ft to 3 ft above original ground level compared with 5 ft to 6 ft for an end dumped section. i.e. the section presents less of a physical and visual barrier to migrating wildlife.
- All borrow material required for the end dumping technique is obtained from borrow pits away from the alignment, whereas borrow excavation and construction activity for the side borrow technique is confined to a narrow strip each side of the roadway, thus minimizing disturbance to vegetation and wildlife habitat.

(iii) Watana damsite to Devil Canyon damsite:

The connecting road between Watana and Devil Canyon generally crosses good soil types with bedrock at or near the surface, and will be constructed largely by sidehill cutting. Erosion and thaw settlement should not be a problem since the terrain has gentle to moderate slopes which will allow roadbed construction without deep cuts. However, where it is necessary to minimize the extent of cutting and filling, the design standards will be reduced to those applicable to a 40

mph design speed. The affected areas are the approaches to some of the stream crossings, the most significant being those of the high level bridge crossing the Susitna River downstream of Devil Canyon. With careful balancing of cut and fill the amount of borrow material required from borrow pits will be minimized.

(d) High level bridge at Devil Canyon

Recently a more refined engineering design for the high level suspension bridge downstream of Devil Canyon has been developed; with the following changes resulting:

- (i) The bridge is located approximately 800 ft upstream of the previous location.
- (ii) The deck elevation of the bridge is EL. 1420 ft compared to EL. 1550 ft previously.
- (iii) The overall length of the bridge is now 1790 ft, 810 ft less than the previous design. Similarly the main span has been reduced 350 ft so that it is now 1250 ft.

A drawing of the bridge is attached as sketch number SK R002.

These changes have resulted in a more economic solution of crossing the Susitna River at Devil Canyon. The alternative means of making the river crossing is by utilizing a low level crossing, however for the reasons outlined below a bridge is considered superior.

Essentially the travel distance from one side of the Susitna River to the other is less than one mile with a bridge, whereas if the switchback road down each side of the Canyon and a low level crossing is used the travel distance would be approximately eight miles. When taking the seven year construction period of the Devil Canyon dam into account, and also the amount of construction traffic crossing the Susitna River, the cost savings of a bridge in terms of time, fuel, and equipment rental are such that the capital cost of building a 1790 ft long suspension bridge is justified. Other advantages of a bridge are that;

- (i) fuel spillages are less likely
- (ii) traffic congestion along the switchback road would be lessened.

4. Railroad Extension

The railroad extension will be designed in accordance with the following design parameters.

Maximum grade	2.5%
Maximum curvature	10°
Design loading	E-72

A drawing of the typical railroad cross section is enclosed as sketch SK R003.

Except for a 2 mile section where the route traverses steep terrain alongside the Susitna River, the railroad climbs steadily for 12.2 miles from Gold Creek to the railhead facility near the Devil Canyon camp.

Nearly all of the route traverses potentially frozen, Basal till on side slopes varying from flat to moderately steep. Sidehill cut techniques will be used and therefore the amount of borrow material required from pits is expected to be small.

5. Borrow Pits

The locations of borrow pits for the access route have been marked on the accompanying full size drawing. By utilizing side borrow techniques wherever possible and carefully balancing cut and fill in sidehill cut areas the amount of borrow material needed from pits has been minimized. The borrow sites indicated on the maps have been located using existing terrain unit mapping. A more detailed geotechnical investigation in subsequent field seasons will identify the extent and depth of suitable material in these areas. In addition final design will determine more accurately the amount of borrow material required at various points along the access route. However, the borrow pits shown assume the worst case in terms of the number and size required. In general it has been assumed that each site will be excavated to an average depth of 8 ft and will range in area from 10 to no more than 20 acres.

The borrow sites have been located in well-drained upland locations and selected so as to;

- avoid active floodplains and streambeds (thereby minimizing impacts to fisheries)
- avoid directly impacting known cultural resource sites
- avoid environmentally sensitive areas such as denning areas and gold eagle nests
- be located no more than 1/4 mile from the main access road, (and therefore minimize disturbance to vegetation and habitat away from the alignment).

Amongst the various mitigation measures suggested by the various subconsultants are:

- All material sites are to be developed in phases by aliquots, and portions of the site which are more sensitive from an environmental standpoint are to be left until last. (R. Sener to provide figure(s)).

- For rehabilitation purposes sites are to have irregular boundaries, including projections of undisturbed, vegetated terrain into the site.
- Organic overburden, slash, and debris stockpiled during clearing is to be distributed over the excavated area prior to fertilization.
- The rehabilitation of sites is to be completed by the end of the growing season immediately following last use.

All these measures are to be fully incorporated into the text and supported by appropriate figures and sketches.

6. Transmission Line

(a) General

The transmission facilities for the Susitna Project are comprised of three distinct study areas.

North - Healy to Fairbanks
South - Willow to Anchorage
Central - Damsites to Intertie.

Comments received from FERC indicate that identification of impacts and development of mitigation measures for both the North and South study areas is inadequate. These areas are to be discussed in as much detail as present knowledge allows. Where data is incomplete explain what additional data is needed, and when it will be provided. Impacts associated with the central study area should also be discussed in more detail and related to the impacts of the access road since for much of the route they fall within the same general corridor.

(b) Right-of-Way Widths

The R.O.W. widths to be used in all FERC License Exhibits have been finalized as.

One tower	170 ft
Two towers	285 ft
Three towers	400 ft
Four towers	515 ft

These rights-of-way are based on the following tower spacings.

Centerline to Centerline distance	115 ft
Centerline to Edge of R.O.W.	85 ft

(c) Clearing Limits

- The extent of clearing along the transmission line R.O.W. is described and illustrated in sketch SK T001 attached.
- From a plan view the inside edge of the 45 ft edge strip each side of the R.O.W. is to be cut in an irregular fashion to break up the visual linearity of the corridor. This is illustrated in sketch SK T003. Bob Erickson of EDAW will help develop a more detailed illustration for the license application.
- Slash and debris created by the clearing process will be hauled to a clear area, stockpiled, left to dry out through the summer and be control burned. This will reduce the potential for spread of spruce bud worm or other destructive organisms. Further recommendations and a more detailed plan will be developed by R. Sener of LGL and myself.

(d) Access to Transmission Corridor

It is a requirement of APA that the transmission line has ground access for maintenance in all weather conditions. In addition to having short trails from the main access road to each tower a trail will exist along the length of the corridor. However, these trails will be of minimum standard, and suitable for ATV use only.

To maintain ground access to the transmission line, the connecting road between the two damsites will be maintained throughout the winter, (this is necessary for normal operation and maintenance anyway). However the trails leading to and running along the transmission corridor will be cleared only as necessary.

The standard of connecting road between the damsites is dependant on whether or not construction of the Devil Canyon dam proceeds. If at the time of building the transmission line between Watana and the intertie, it has been decided not to proceed with Devil Canyon then the connecting road will not be built. The road running along the transmission corridor would therefore be upgraded for use as a construction road. If construction of Devil Canyon has been given the go-ahead then the connecting road would be constructed as planned.

However, if the decision to build Devil Canyon is still undecided it is proposed to construct a lower grade road (approximately 20 ft wide) along the same alignment as

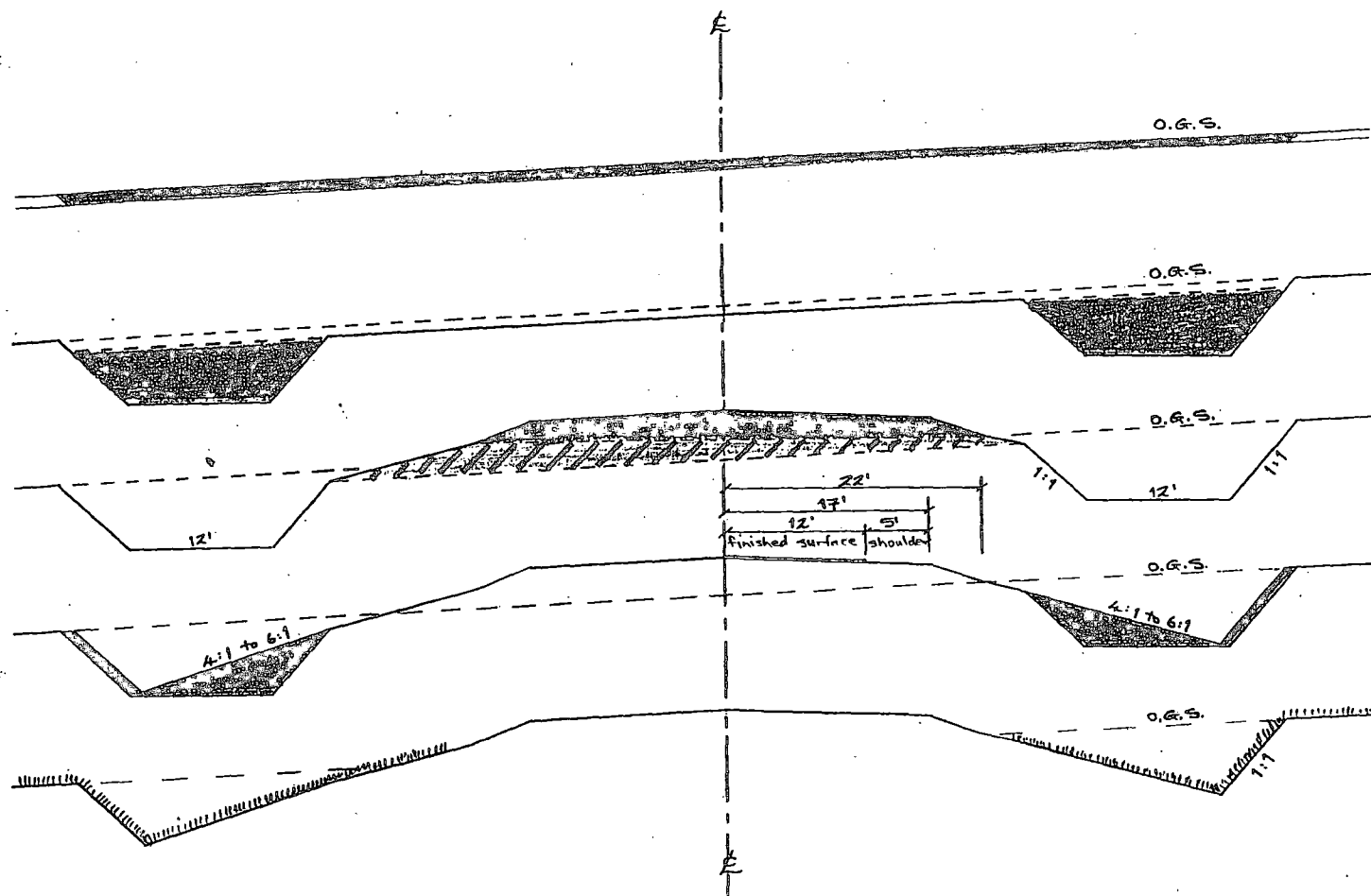
Page - 8

originally planned. Therefore if Devil Canyon does proceed the access can be upgraded without any changes in alignment being necessary.

RDC/pg

Robert Chamberlain
Access & Transmission Coordinator

Attachment



Step 1 Remove overburden
Road developed in 800' to 1000
ft segments. Overburden hauled
along borrow trench to previously
developed segment.

Step 2 Excavate side borrow pits
"

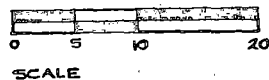
Step 3 Fill to grade, place subgrade,
finish road surface.
(Gravel surfaced road, 12 ft
wide running surface, 5 ft shoulder

Step 4 Backfill side borrow trenches
with previously excavated
overburden material, at
4:1 to 6:1 slope.

Step 5 Revegetate sideslopes

Typical Road Cross Section Using Side Borrow Technique. (5% Cross Slope)

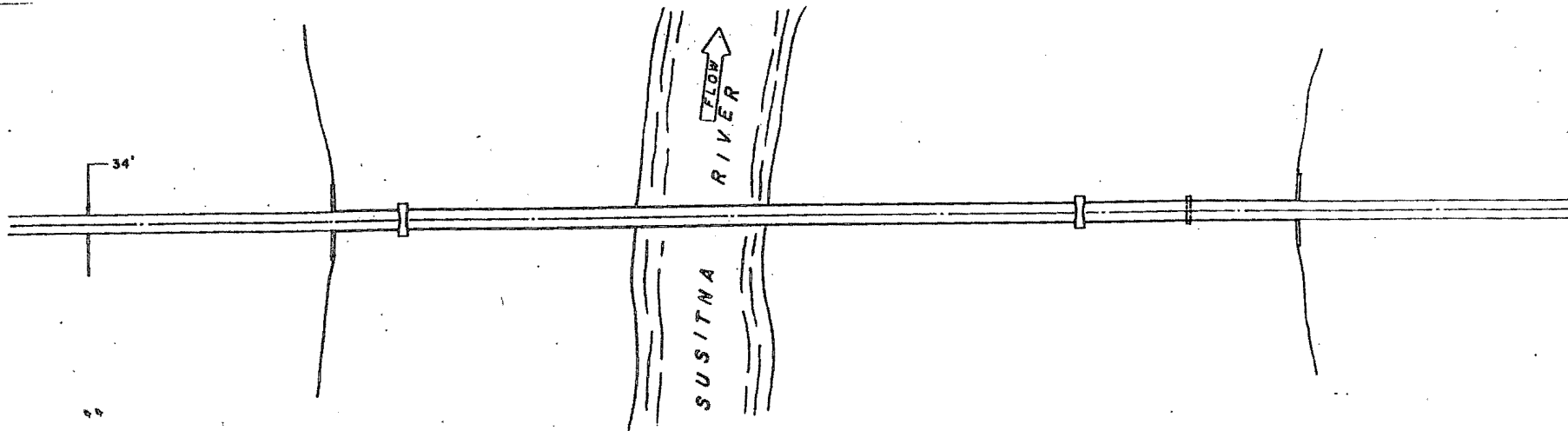
O.G.S = Original ground surface



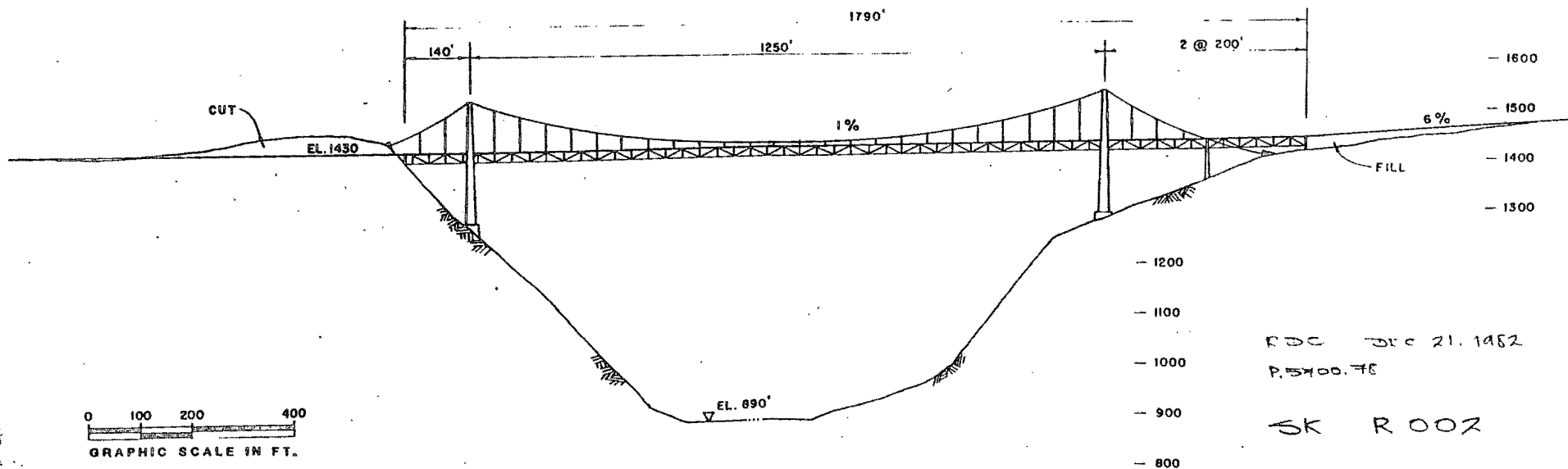
RDC 18 DEC 82
P. 5701.78

SK R001

Note: This is a Sketch only and does not constitute an engineering drawing.



1790 FT. STEEL SUSPENSION BRIDGE



RDC DEC 21, 1952
P. 5400.7E

SK R 002

PREPARED BY:



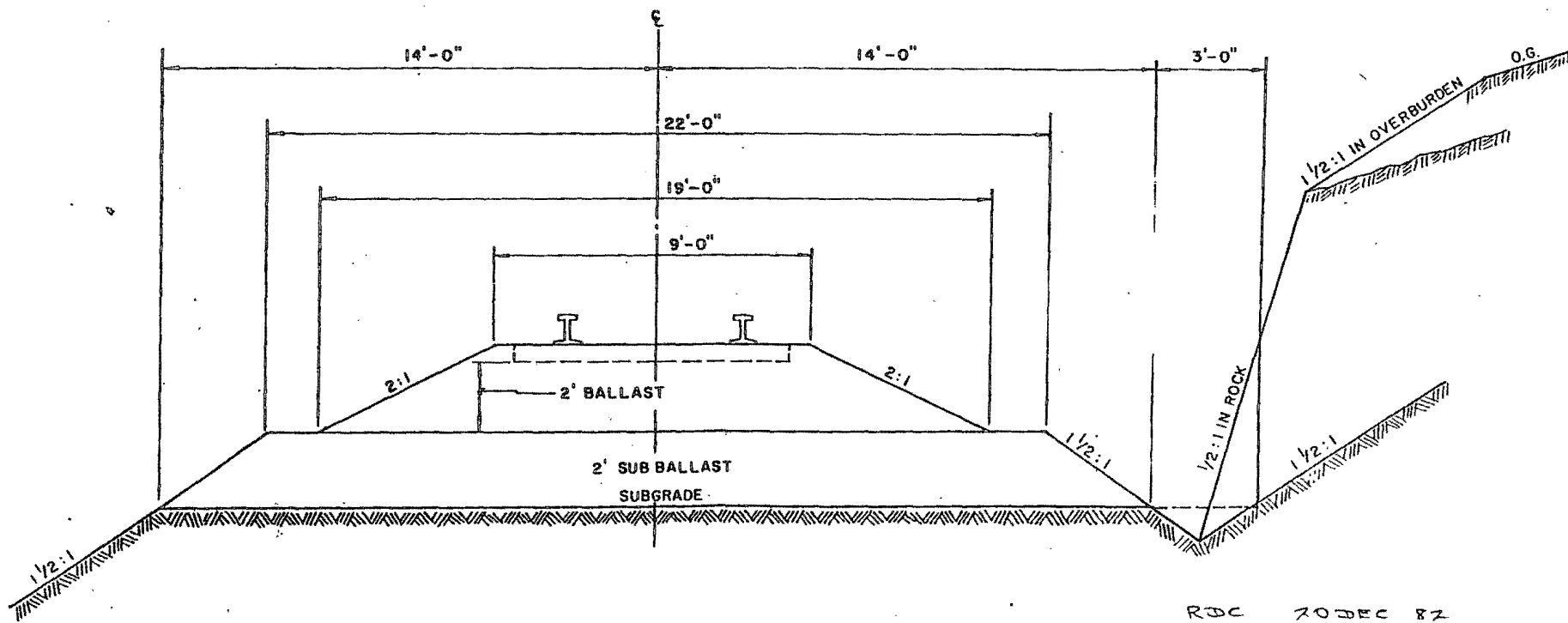
HIGH SUSITNA RIVER BRIDGE AT DEVIL CANYON

REVISED

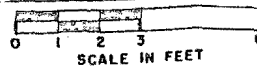
FIGURE P. 6.6

PREPARED FOR:





TYPICAL RAILROAD CROSS SECTION



RDC 20 DEC 82
P. 5401.78

Sketch SK R003.

PREPARED BY:



TYPICAL RAILROAD CROSS SECTION

PREPARED FOR:



Tower Spacing

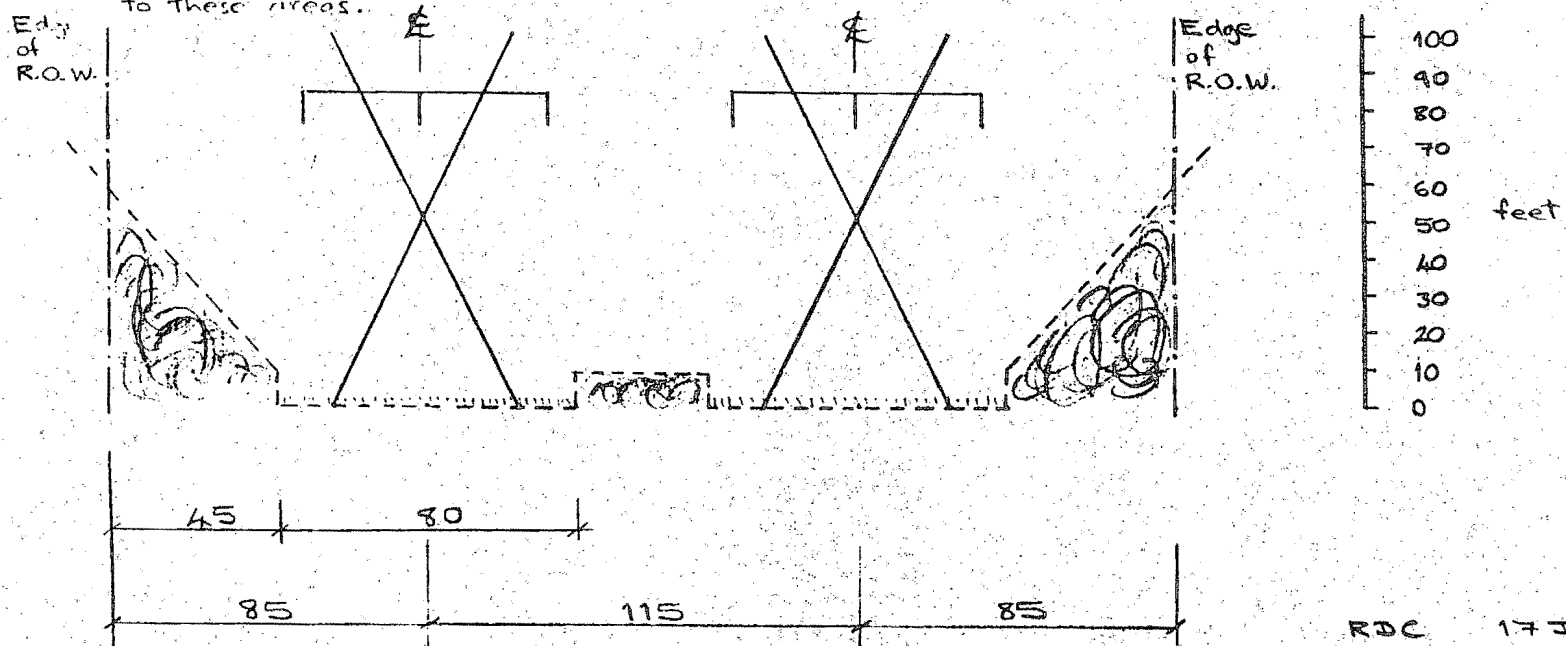
Centerline to Centerline distance 115 ft
Centerline to Edge of R.O.W. 85 ft

Typical Span (tower to tower) 1200 to 1300 ft.

# Lines	R.O.W. width
1	170
2	285
3	400
4	515

Clearing Limits

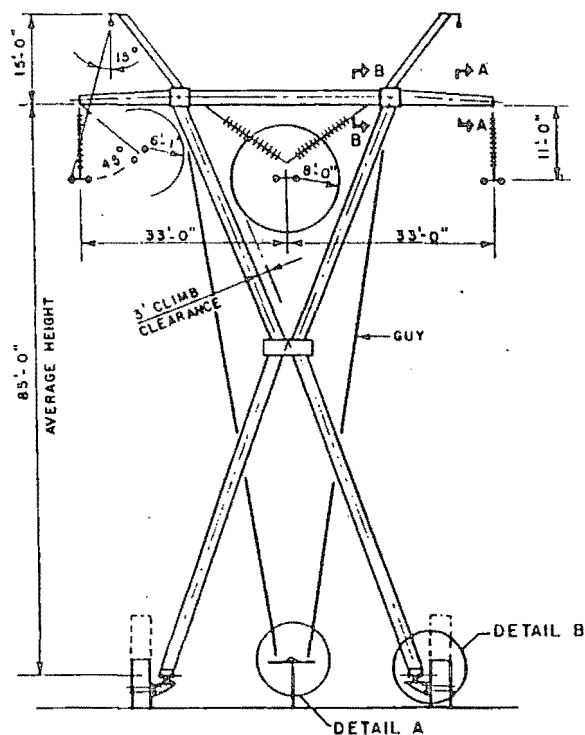
- 45 ft edge strip along either side of R.O.W. Maximum height of tree on inside edge 10 ft varying linearly to 60 ft at edge of R.O.W.
- Area between lines: cut all growth exceeding 10 ft in height except At tower sites clear cut a 30 ft wide transverse strip through to adjacent line(s).
- Area under lines, including 5 ft beyond outside phases, to be clear cut to within 6 in. of ground level except that growth under 24" shall be left in place.
- In areas occupied by structures, access tracks, or temporary facilities for construction, all vegetation may be cut. Grubbing of stumps and stripping of organic surface layer to be limited to these areas.



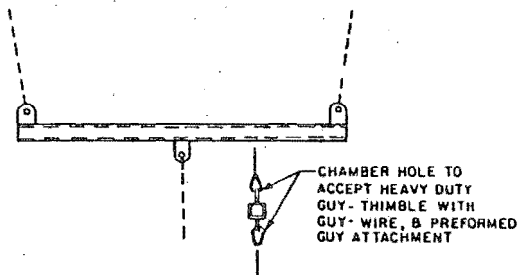
Typical Section - Transmission Corridor Clearing.

RDC 17 DEC 82
P. 5701.78

SK T001.



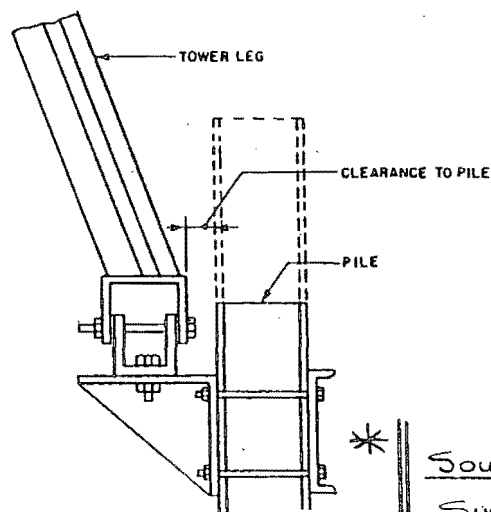
RECOMMENDED 345 KV TANGENT TOWER



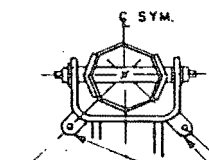
DETAIL A



SECTION A-A



DETAIL B



SECTION B-B

CHAMBER HOLE TO
ACCEPT HEAVY DUTY
GUY THIMBLE WITH
GUY WIRE & PRE-
FORMED GUY ATTACH-
MENT

Source:

Susitha Feasibility Report, March 82

Volume 1, Section 14.

X - FRAME GUYED STEEL TOWER

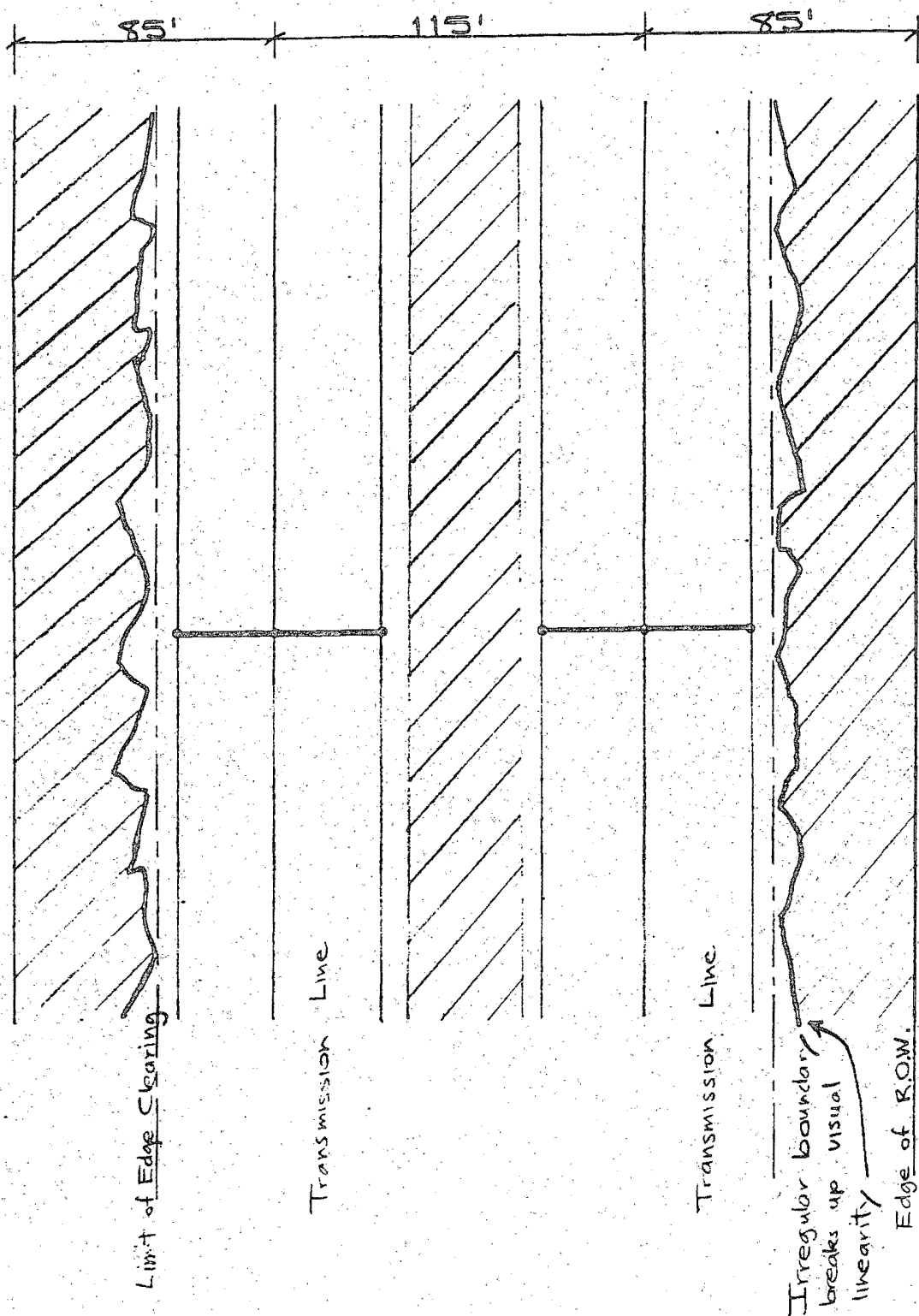
SK T002

RDC 20 DEC 82

P. 5701.78

FIGURE 14.6





RDC. DEC 21, 1982
P. 5700.78

SK T 003

Plan View - Transmission Corridor Clearing.

To be read in conjunction with sketch SK 001

ALASKA POWER AUTHORITY

DRAFT SUSITNA DISCUSSION FROM FERC

Research by:
B. R. Bedard
Alaska Power Authority

SPECIFIC DEFICIENCIES:

Page 4, Item 6.

Geological and Soil Resources. Item 1 - There is an existing ruby mine of considerable size in the Portage Creek drainage. This is an active mine that has not gone to patent under the federal mining laws.

There are a number of mining claims in the Gold Creek area containing mostly gold and silver.

There are some mining claims beyond Devil Canyon on the Susitna River that have been apparently abandoned that were worked for gold placer deposits.

The Native corporations have made extensive studies for minerals in the area and various minerals have been discovered but at this time this information is not available for public information.

7. Recreation Resources

Page 4, Item 1.

Existing recreational maps exist for this area very little use in the project boundary exist at present (see page 51, Item 12. Comments maps) the Native corporations as adjacent land owners have indicated some desire for recreational development in the future, but did not want to expend funds to study this at this time until the project was assured. These developments included lodges, trails, guide services, etc.

Cultural Historic Preservation Resources:

Page 33.

Should include the Native corporations as a land management agency
REF: CFR 43, Part 2650, Section 106 of the Historic Preservation
Act of 1966, Executive Order 11593 and Title 36, Part 800 CFR.
(Ref: ANCSA).

(Does the statement on page 34, Item 9 appropriate land-managing agencies include the Natives).

Page 35.

Permitting Agencies - This should include the Natives Item 11.

Page 37, Item 1.

Other than using the area for hunting, fishing, berry picking, there are no Native American Alaskans living within the project boundary and only one Native family at Gold Creek, 12 miles from the Devil Canyon dam site. The Native village of Cantwell has approximately 72 Native inhabitants and approximately the same number of non Native inhabitants though the community was identified in 1971 as a Native village by the Department of Interior under the Alaska Native Land Claims Act. This community as a whole is still unincorporated. This community is approximately some 60 miles away via the proposed access road to the Watana camp site. The residents of Gold Creek have no commercial power or local generating facilities whatsoever, the village and community of Cantwell have no commercial power at present though various entities do have privately owned diesel generators, and some residences have no power systems at all. The community of Cantwell is somewhat separated politically. The Native and non Native community operate from a non-profit status more or less seeking the same goals, but accomplishing these goals separately. This could be as a result of an unincorporated community and the large land ownership of land by the Cantwell Natives and their regional corporation, Ahtna, Inc. There are various commercial facilities in the community of Cantwell for its size, grocery stores, bars, two lodges, railroad yard, community center and some small contracting services, where Gold Creek has no such activity for the total population of seven inhabitants.

The cost of living for both of these communities is higher than Anchorage or Fairbanks and mostly related to transportation cost and the remoteness and small populations of these two communities. The overall cultural settings for these two communities has been a subsistence life style with mining, trapping, and guide services as their prime sources of revenue. Though this is rapidly changing due to land ownership patterns, the Ahtna region and the Cook Inlet region will eventually own over three million acres of lands in the Railbelt area of which approximately 553 square miles of this land is in or adjacent to the Susitna Hydroelectric project and the Anchorage/Fairbanks Intertie. The State of Alaska is also disposing of large amounts of state land to private ownership in the same vicinity. These new large private holdings do not have to allow trespassers on their lands for subsistence users or open their lands to recreational uses for hunting, fishing, etc., trappers, guides and miners could be held in trespass on these vast

acreages by the private land owners Natives and non Natives alike whereby totally affecting existing cultural settings regardless of the Susitna project.

Page 37, Item 2.

Item 2 is somewhat answered in Item 1. (may need more data from the 1980 census).

Page 37, Item 9.

Ahtna Inc. is the Native regional corporation located at Copper Center, Alaska for the village of Cantwell. (a profit corporation). There is no relationship between the Ahtna Inc. region and the Cook Inlet Region, Inc. other than they were both established under the Alaska Native Land Claims Act (ANCSA) on a geographical basis within the state and are neighboring regions.

The Cook Inlet Native Association and the Copper River Native Association are separate non profit arms from the appropriate regions to manage the social, educational, health and welfare problems of all Natives in their respective regions though not controlled in any way by the profit regional corporations.

Page 37, Item 12.

The largest impacts the project will most likely create to the two regional corporations will be the infringements of their lands as the largest adjacent land owners comprises 553 square miles of land. The Cook Inlet Region and its villages owns or will own 315 square miles of land surrounding and abutting the two dam project, they do not physically reside on the lands they do represent some 6,200 shareholders who own these lands. If access is denied to them to get to their lands during the construction of the project this could curtail their development by as much as twenty years, creating undue hardship for them when there lands unlike Lower 48 Indians is taxable twenty years from date of conveyance.

Other impacts would be destruction, trespass and other land disturbances created by the project especially recreation uses.

The Native community of Cantwell on the other hand would have similar land problems but not as severe as Cook Inlet lands. The project would most likely have more positive aspects to Cantwell then negative as at present Cantwell being unincorporated is presently limited in services and employment opportunities. The project through mitigation could do more for Cantwell than what they presently have, Cantwell does not have any tax base to rely on and receives most of its support from federal and state funding. (See item allowed for funding).

Page 38, Item 25.

Ahtna Corporation and the Cook Inlet Corporation both have the capability to provide camp services and the management construction to develop land for housing anywhere in the State of Alaska.

Page 39, Item 26.

There is sufficient lands at Cantwell to house construction crews for a temporary camp, or new construction. There is insufficient adequate housing or transient accommodations at present to house a large influx of construction workers.

Page 39, Item 31.

There is no question that the non Native population will drastically increase and could increase to about 300% over the Native population though both the Native and non Native community has expressed their acceptance to this change.

Page 40, Item 46.

See page 39 Item 26 response. Ahtna Inc., presently own and manage a large lodge and restaurant at Glennallen, Alaska and have a joint venture with the village of Knik a Native village corporation of Cook Inlet Region, Inc. to provide camp services for the present Susitna studies. The Cook Inlet Region Inc. presently has a joint venture with CIRI Holmes and Narver to design and construct camp facilities both temporary and permanent. Cook Inlet Region also has the capabilities to construct homes and do provide camp services for the North Slope oil fields through another joint venture. Both Regional Corporations separately or jointly have the competency and capability to handle entrepreneurial housing activity.

Page 40, Item 50.

In the proposed rail line the likelihood of development would come from the Cook Inlet Natives as they will own most of the land on the new rail spur. There is no contemplated housing development proposed or planned for this segment. Other land improvements will probably be dictated by the demands the rail link would need as ongoing operations for the rail, the Native land owners are open to any potential this may have for them.

Page 40, Item 51.

Conflicts will exist even without the project as stated in previous comments subsistence uses, guiding, trapping and mining will virtually come to a standstill because of the restrictions that could be placed on the large land area owned by the two Native

regional corporations and their villages. The present uses by these current land users is very small, probably less than 50 people are involved in one way or the other, in the project area boundaries it probably less than 10 people who actually mine, trap, guide or use this land for subsistence.

The Cook Inlet Region and its villages are open to any alternative needs for their lands, to support project purposes preferably on a land lease use basis or land exchange.

Page 40, Item 54.

The community Cantwell and the Ahtna and CIRI Regional Corporation both desire jobs for their people. The Alaska Power Authority will do everything possible within the law to accommodate this desire for employment.

Page 41, Item 57.

Ahtna Inc. does not receive any revenue sharing from the state as it is a corp for profit for its regional members. Cantwell village corp is a non profit arm, the village council and the non Native community arm has received funding for schools and other community services from the federal and state governments.

To be eligible for revenue sharing the community as a whole would have to incorporate under the laws of the state.

Page 41, Item 58.

There are no known guides that are Native from Cantwell or Gold Creek. Subsistence uses for fish and wildlife could be disrupted especially if restrictions are placed by Fish and Game during the phase of construction for access to the Natives. Though subsistence uses in the project boundary at present do not exist because of remoteness, accessibility and distance from the Native residence.

Page 41, Item 59.

There are less than half dozen guides in the area of the studies. Most guides cater to big game hunting rather than trophy or sports fishing though Stephen Lake does offer potential for such activity it is not a prime source for revenue for the guides.

Page 41, Item 60.

Subsistence catch for Natives or non Natives does not now exist between the two dam projects and very little subsistence use by both groups exist on the adjacent lands. Natives at present do not

require any different permit than non Natives and present law requires only a subsistence use license cost is .25¢ per year.

Page 41, Item 67.

The project roads could increase trapping on federal and state lands but economics for trapping in Alaska does not dictate any such increase. The Native land owners may further frustrate this activity by restricting access to their 553 square miles of land they own, and trapping is not a high priority item to them as a whole.

Page 41, Item 69.

It is not known whether there are any recreational trappers in the area the requirement for a trapping license does not dictate any differentiation between commercial and recreational trapping.

Page 42, Item 76.

Ahtna Inc. would be interested in potential employment, services, contracts and leasing of any of their lands for staging areas, etc.

Page 42, Item 83.

Ethnic distributions figures can be provided by the 1980 census. Gold Creek is classed all Native except one who is married to a Native. Cantwell is about half Native.

Page 49-50, Item 6.

Lake Louise recreation area is an input area for the Tyone River which empties into the upper Susitna east of Watana currently used by rafters, canoeist and fisherman. The tangle lakes area is over 100 miles away from the Watana dam site. The segment is only open during the summer months for recreation use.

The Kepler lakes is over 200 road miles from Watana dam site and 39 miles north of Anchorage and is all privately owned and open to fee use only.

The Nancy Lakes and the Denali State Park which is much closer to the project area with ample room for more users, should be addressed more in depth for alternative recreation uses.

Page 50, Item 7.

Due to the large Native ownership of lands and the fact that this area was eliminated as a candidate by the Alaska National Interest Conservation Act for parks and scenic and wild rivers and that the Denali and Tiekell planning blocks which is federal D-1 lands have

since been opened to mining, trade and manufacturing, homesites, headquarters, sites, mineral entry (oil and gas leasing). The remaining state lands are scattered and small in number, does not leave to much room for federal or state recreational planning. The highest and best use of this area has been determined to be energy, mining, recreational and residential use by all land managing agencies.

Page 50, Item 9.

The structures at High Lake include some cabins, lodge, power plant, airstrip, storage sheds. The structures on Portage Creek are primarily related to mining and most cabins are old and have been abandoned. Both areas are presently operated as a complex.

Page 51, Item 11.

There are no public trails located on lands selected by the Natives. There is an easement on Stephen Lake to the state for public purposes. Other valid easements to inholders of small parcels within Native selections.

Page 51, Item 12.

Should use the Susitna Basin Land Use/Recreation Atlas, Talkeetna mountains, existing recreational land use map.

Page 51, Item 13.

With the failure of the capital move to Willow there is no other major project in the region that would effect future recreation.

Page 51, Item 14.

Many rivers, streams, ponds, lakes, mountains and canyons are unnamed in Alaska especially in the Susitna study area the only other means of identification would be by range, township, section and meridian.

Page 51, Item 15.

The Denali planning block which is over one million acres of federal D-1 lands covering almost the entire northern study area of the upper Susitna River. These federal lands were opened on September 14, 1982 for mineral leasing, mining and other land uses for private purposes, to describe all of these lands would be a major undertaking at this time though maps can be provided to show where all these lands are. The access road does cross through these lands.

Page 51, Item 16.

It would have to be a policy established that company employees would not be allowed to hunt or fish during working hours. It would be unconstitutional under state law to prohibit employees on their own time from hunting and fishing unless the whole state was also prohibited from the same area with the exception of subsistence users.

Page 52, Item 21.

The most likely parties would be the Alaska Power Authority, the Native land owners, National Park Service, and the State Parks Division along with the Alaska Power Authority contractor to study such activity.

Page 52, Item 24.

The level of recreation would most likely be controlled by State Division of Parks and the Alaska Power Authority, but the level and expansion could be dictated by the adjacent land owners, CIRI Natives. The Natives would also dictate to some extent the policy created for recreation, where trails and other uses crosses their lands.

Page 55, Item 1.

Existing land values in the study area has not been established though nearby the state has had recent land disposals to place some value on surface ownership at Gold Creek and Indian River disposals. The land to be acquired has not been determined for value by any federal, state or Native agency to date. The transmission corridor has been recently determined and finalized in most cases.

Page 55, Item 2.

The Denali planning block which opened to entry over one million acres of land for various private uses will dictate the policy for those lands which most likely will be mining interest. The Native lands which is more than 350,000 acres will be dictated to a great extent. The economics of recreational, residential and mining values of their lands. These are relatively unknown factors at this time due to the fact the land is still in a conveyance process which most of these lands will be conveyed by mid 1983. The state lands would most likely be open to homesites and mining uses. The land managers of the area would be the major land holders. The Bureau of Land Management, the State Department of Natural Resources Division of Land, the Ahtna Regional Corp, its villages, the Cook Inlet Regional Corporation and its villages. The borough

government located at Palmer Alaska may have some zoning powers over these lands.

Page 55, Item 3.

There is no question that the two dam project would enhance the land values of the adjacent land owners.

Alaska experience has shown this to be a true indicator of increased values to lands that have access by road, with development of some kind with it. The land values of the transmission lines could become somewhat less due to the fact people are afraid to live under or near such lines.

Page 55, Item 5.

There is no question that the adjacent land owners will be studying any potential for development. The Native corporations have indicated their interest for services and other uses for their lands that are compatible to their plans, they will address these developments on a case by case basis as the need is identified.

Page 55, Item 7.

The major land use changes in the project area will be primarily energy oriented to hydropower, with a secondary impact of recreation uses on the large lakes created by the dams. The land value for some would change not in dollars but in its unique prestiness that many Alaskans in the area consider most important i.e., remoteness.

Page 55, Item 8.

No known agricultural land in the area. The Native corporations have shown no known desires at this time for any such development other than some small timber potential south of the project area around Stephan Lakes.

Page 55, Item 10.

None Projected. All previous sales have taken place in the McKenzie area near Knik across the Cook Inlet Arm.

Page 55, Item 11.

If lands are purchased from the Natives for the two dam sites the state DNR will dictate to some extent their policy or land uses under Title 38 of the Alaska statutes. If the lands are leased from the Natives, the Native land owners will most likely dictate the policy by virtue of a permit subject to federal or state law. Lands surrounding the project area will be mostly Native owned

lands, other than laws directed by the Alaska Native Claims Settlement Act and other federal and state laws that do not conflict with this act, the Natives will control most land uses as given to them by the U.S. Congress in 1971. Such Native Controls could be trespassers, ATV use, rockhounding restrictions, limited access to recreational trails that cross their lands. Permit hunting and fishing to trespass and use their lands.

Page 56, Item 13.

The Native Corporations of Cook Inlet Region INC. has shown a great amount of interest in recreational development, that they could participate in for the benefit of their shareholders and are willing to negotiate and mitigate any recreation scheme where they can derive some economic benefit.