

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—113th Cong., 1st Sess.

S. 340

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

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by _____

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

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

7 **SEC. 2. DEFINITIONS.**

8 In this Act:

9 (1) MAPS.—The term “maps” means the maps
10 entitled “Sealaska Land Entitlement Finalization”,
11 numbered 1 through 18, and dated June 14, 2013.

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

5 (3) SECRETARY.—The term “Secretary” means
6 the Secretary of the Interior.

7 (4) STATE.—The term “State” means the State
8 of Alaska.

9 **SEC. 3. FINALIZATION OF ENTITLEMENT.**

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

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

20 (2) charge the entitlement pool under section
21 14(h)(8) of the Alaska Native Claims Settlement Act
22 (43 U.S.C. 1613(h)(8)) 70,075 acres, reduced by the
23 number of acres deducted under subsection (b)(2),
24 in fulfillment of the remaining land entitlement for
25 Sealaska under that Act, notwithstanding whether

1 the surveyed acreage of the 18 parcels of land gen-
2 erally depicted on the maps as “Sealaska Selections”
3 and patented under section 4 is less than or more
4 than 69,585 acres, reduced by the number of acres
5 deducted under subsection (b)(2).

6 (b) FINAL ENTITLEMENT.—

7 (1) IN GENERAL.—Except as provided in para-
8 graph (2), the 70,075 acres of land described in sub-
9 section (a) shall consist of—

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

14 (B) a total of not more than 490 acres of
15 Federal land for cemetery sites and historical
16 places comprised of parcels that are applied for
17 in accordance with section 5.

18 (2) DEDUCTION.—

19 (A) IN GENERAL.—The Secretary shall de-
20 duct from the number of acres of Federal land
21 described in paragraph (1)(A) the number of
22 acres of Federal land for which the Secretary
23 has issued a conveyance under section 14(h)(8)
24 of the Alaska Native Claims Settlement Act (43
25 U.S.C. 1613(h)(8)) during the period beginning

1 on August 1, 2012, and ending on the date of
2 receipt of the resolution under subsection (a).

3 (B) AGREEMENT.—The Secretary, the Sec-
4 retary of Agriculture, and Sealaska shall nego-
5 tiate in good faith to make a mutually agree-
6 able adjustment to the parcel of Federal land
7 generally depicted on the maps numbered 1 and
8 18 to implement the deduction of acres required
9 by subparagraph (A).

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

12 (1) be final and irrevocable; and

13 (2) without any further administrative action by
14 the Secretary, result in—

15 (A) the relinquishment of all existing selec-
16 tions made by Sealaska under subsection
17 14(h)(8) of the Alaska Native Claims Settle-
18 ment Act (43 U.S.C. 1613(h)(8)); and

19 (B) the termination of all withdrawals by
20 section 16 of the Alaska Native Claims Settle-
21 ment Act (43 U.S.C. 1615), except to the ex-
22 tent a selection by a Village Corporation under
23 subsections (b) and (d) of section 16 of the
24 Alaska Native Claims Settlement Act (43

1 U.S.C. 1615) remains pending, until the date
2 on which those selections are resolved.

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

5 (1) the provisions of this Act shall cease to be
6 effective, except as otherwise provided in this sec-
7 tion;

8 (2) the Secretary shall, not later than 5 years
9 after the date of enactment of this Act, complete the
10 interim conveyance of the remaining land entitle-
11 ment to Sealaska under section 14(h)(8) of the Alas-
12 ka Native Claims Settlement Act (43 U.S.C.
13 1613(h)(8)) from prioritized selections on file with
14 the Secretary on the date of enactment of this Act;
15 and

16 (3)(A) the remaining land entitlement of
17 Sealaska under section 14(h)(8) of the Alaska Na-
18 tive Claims Settlement Act (43 U.S.C. 1613(h)(8))
19 shall be 70,075 acres, provided that the Secretary
20 shall deduct the number of acres of Federal land for
21 which the Secretary has issued a conveyance under
22 section 14(h)(8) of that Act (43 U.S.C. 1613(h)(8))
23 during the period beginning on August 1, 2012, and
24 ending 90 days after the date of enactment of this
25 Act; and

1 (B) if the Governor of the State does not ap-
2 prove the prioritized selections of Sealaska in the
3 Saxman or Yakutat withdrawal areas as required by
4 subsection 14(h)(8)(B) of the Alaska Native Claims
5 Settlement Act (43 U.S.C. 1613(h)(8)(B)) by the
6 date that is 42 months after the date of enactment
7 of this Act, the Secretary shall reject those selections
8 and fulfill the remaining land entitlement of
9 Sealaska from the remaining prioritized selections
10 on file with the Secretary on the date of enactment
11 of this Act.

12 (e) SCOPE OF LAW.—Except as provided in sub-
13 sections (d) and (f), this Act provides the exclusive author-
14 ity under which the remaining land entitlement of
15 Sealaska under section 14(h) of the Alaska Native Claims
16 Settlement Act (43 U.S.C. 1613(h)) may be fulfilled.

17 (f) EFFECT.—Nothing in this Act affects any land
18 that is—

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

23 (2) conveyed in accordance with that sub-
24 section.

1 **SEC. 4. CONVEYANCES TO SEALASKA.**

2 (a) INTERIM CONVEYANCE.—

3 (1) IN GENERAL.—Subject to valid existing
4 rights, subsections (c), (d), and (e), section 3(b),
5 and section 6(a), the Secretary shall complete the in-
6 terim conveyance of the 18 parcels of Federal land
7 comprising approximately 69,585 acres generally de-
8 picted on the maps by the date that is 60 days after
9 the date of receipt of the resolution under section
10 3(a), subject to the Secretary identifying and reserv-
11 ing, by the date that is 2 years after the date of en-
12 actment of this Act, any easement under section
13 17(b) of the Alaska Native Claims Settlement Act
14 (43 U.S.C. 1616(b)) that could have been reserved
15 prior to the interim conveyance.

16 (2) FAILURE TO RESERVE EASEMENTS BY
17 DEADLINE.—If the Secretary does not complete the
18 reservation of easements under paragraph (1) by the
19 date that is 2 years after the date of enactment of
20 this Act, the Secretary shall reserve the easements
21 as soon as practicable after that date.

22 (b) WITHDRAWAL.—

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

1 (A) all forms of appropriation under the
2 public land laws;

3 (B) location, entry, and patent under the
4 mining laws;

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

7 (D) selection under the Act of July 7,
8 1958 (commonly known as the “Alaska State-
9 hood Act”) (48 U.S.C. note prec. 21; Public
10 Law 85–508).

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

13 (A) if Sealaska fails to file a resolution in
14 accordance with section 3(a), the date that is
15 90 days after the date of enactment of this Act;
16 or

17 (B) the date on which the Federal land is
18 conveyed under subsection (a).

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

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

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

7 (d) EASEMENTS.—

8 (1) PUBLIC EASEMENTS.—

9 (A) IN GENERAL.—The interim conveyance
10 and patents for the land under subsection (a)
11 shall be subject to the reservation of public
12 easements under section 17(b) of the Alaska
13 Native Claims Settlement Act (43 U.S.C.
14 1616(b)).

15 (B) TERMINATION.—No public easement
16 reserved on land conveyed under subsection (a)
17 shall be terminated without publication of no-
18 tice of the proposed termination in the Federal
19 Register.

20 (C) RESERVATION OF EASEMENTS.—In the
21 interim conveyance and patents for the land
22 under subsection (a), the Secretary shall reserve
23 the right of the Secretary to amend the interim
24 conveyance and patents to include reservations
25 of public easements under section 17(b) of the

1 Alaska Native Claims Settlement Act (43
2 U.S.C. 1616(b)) until the completion of the
3 easement reservation process.

4 (2) CONSERVATION EASEMENTS.—

5 (A) IN GENERAL.—In the interim convey-
6 ance and patents for the land under subsection
7 (a), the Secretary shall reserve a conservation
8 easement to protect the aquatic and riparian
9 habitat extending 100 feet on each side of the
10 anadromous water bodies depicted as “100
11 Foot Conservation Easement” on the maps
12 numbered 3, 4, and 6.

13 (B) PROHIBITION.—The commercial har-
14 vest of timber within the conservation ease-
15 ments described in subparagraph (A) shall be
16 prohibited, except that Sealaska may, for the
17 purpose of harvesting timber outside of the con-
18 servation easement—

19 (i) maintain roads within the con-
20 servation easement that are in existence on
21 the date of enactment of this Act; and

22 (ii) construct temporary roads and
23 yarding corridors across the conservation
24 easements in accordance with the applica-

1 ble National Forest System construction
2 standards.

3 (C) ADMINISTRATION.—The Secretary of
4 Agriculture shall administer the conservation
5 easements described in subparagraph (A).

6 (3) RESEARCH EASEMENT.—In the interim con-
7 veyance and patent for the land generally depicted
8 on the map numbered 7, the Secretary shall reserve
9 an easement—

10 (A) to access and continue Forest Service
11 research activities on the study plots located on
12 the land; and

13 (B) that shall remain in effect for a 10-
14 year period beginning on the date of enactment
15 of this Act.

16 (4) KOSCUISKO ISLAND ROAD EASEMENT.—

17 (A) IN GENERAL.—Concurrently with the
18 conveyance of land under subsection (a), the
19 Secretary shall grant to Sealaska an easement
20 on Koscuisko Island providing access to and use
21 by Sealaska of the sort yard and all other up-
22 land facilities at the sort yard that are associ-
23 ated with the transfer of logs to the marine en-
24 vironment, subject to—

1 (i) the agreement under subparagraph
2 (C); and

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

4 (B) SCOPE OF THE EASEMENT.—The ease-
5 ment under subparagraph (A) shall enable
6 Sealaska—

7 (i) to construct, use, and maintain a
8 road connecting the National Forest Sys-
9 tem Road known as “Cape Pole Road” to
10 the National Forest System Road known
11 as “South Shipley Bay Road” within the
12 corridor depicted on the map numbered 3;

13 (ii) to use, maintain, and if necessary,
14 reconstruct the National Forest System
15 Road known as “South Shipley Bay Road”
16 referred to in clause (i) to access the sort
17 yard and associated upland facilities at
18 Shipley Bay; and

19 (iii) to use, maintain, and expand the
20 sort yard and associated upland facilities
21 at Shipley Bay that are within the area de-
22 picted on the map numbered 3.

23 (C) ROADS AND FACILITIES USE AGREE-
24 MENT.—In addition to the agreement under
25 section 6(b), the Secretary of Agriculture and

1 Sealaska shall enter into an agreement relating
2 to the access, use, maintenance, and improve-
3 ment of the roads and facilities under this para-
4 graph.

5 (D) EFFECT.—Nothing in this paragraph
6 preempts or otherwise affects State or local reg-
7 ulatory authority.

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

9 (1) IN GENERAL.—Any land conveyed under
10 subsection (a) that is located outside a withdrawal
11 area designated under section 16(a) of the Alaska
12 Native Claims Settlement Act (43 U.S.C. 1615(a))
13 shall remain open and available to subsistence uses,
14 noncommercial recreational hunting and fishing, and
15 other noncommercial recreational uses by the public
16 under applicable law—

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

20 (B) subject to—

21 (i) any reasonable restrictions that
22 may be imposed by Sealaska on the public
23 use—

24 (I) to ensure public safety;

- 1 (II) to minimize conflicts between
2 recreational and commercial uses;
- 3 (III) to protect cultural re-
4 sources;
- 5 (IV) to conduct scientific re-
6 search; or
- 7 (V) to provide environmental pro-
8 tection; and
- 9 (ii) the condition that Sealaska post
10 on any applicable property, in accordance
11 with State law, notices of the restrictions
12 on use.

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

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

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

2 (a) IN GENERAL.—Notwithstanding section
3 14(h)(1)(E) of the Alaska Native Claims Settlement Act
4 (43 U.S.C. 1613(h)(1)(E)), Sealaska may submit applica-
5 tions for the conveyance under section 14(h)(1)(A) of the
6 Alaska Native Claims Settlement Act (43 U.S.C.
7 1613(h)(1)(A)) of not more than 76 cemetery sites and
8 historical places—

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

12 (2) that are cemetery sites and historical places
13 included in the report by Wilsey and Ham, Inc., en-
14 titled “1975 Native Cemetery and Historic Sites of
15 Southeast Alaska (Preliminary Report)” and dated
16 October 1975;

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

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

23 (b) PROCEDURE FOR EVALUATING APPLICATIONS.—

24 Except as otherwise provided in this section, the Secretary
25 shall consider all applications submitted under this section
26 in accordance with the criteria and procedures set forth

1 in applicable regulations in effect as of the date of enact-
2 ment of this Act.

3 (c) CONVEYANCE.—If approved under the procedures
4 described in subsection (b), the Secretary shall convey
5 cemetery sites and historical places that result in the con-
6 veyance of a total of approximately 490 acres of Federal
7 land comprised of parcels that are—

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

9 and

10 (2) subject to—

11 (A) valid existing rights;

12 (B) the public access provisions of sub-
13 section (g);

14 (C) the condition that the conveyance of
15 land for the site listed under subsection (a)(1)
16 as “Bay of Pillars Portage” is limited to not
17 more than 25 acres in T.60 S., R.72 E., Sec.
18 28, Copper River Meridian; and

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

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

5 (e) CONSULTATION WITH RECOGNIZED TRIBAL EN-
6 TITY.—Sealaska shall—

7 (1) consult with any affected federally recog-
8 nized Indian tribe before submitting any application
9 for a cemetery site or historical place located within
10 the vicinity of the Indian tribe; and

11 (2) include with each application described in
12 paragraph (1) a statement that the required con-
13 sultation was carried out in accordance with that
14 paragraph.

15 (f) SELECTION OF ADDITIONAL CEMETERY SITES.—
16 If Sealaska submits timely applications to the Secretary
17 in accordance with subsections (a), (d), and (e), for all
18 76 sites listed under subsection (a)(1), and the Secretary
19 rejects any of those applications in whole or in part—

20 (1) not later than 2 years after the date on
21 which the Secretary completes the conveyance of eli-
22 gible cemetery sites and historical places applied for
23 under subsection (a), and subject to subsection (e),
24 Sealaska may submit applications for the conveyance
25 under section 14 (h)(1)(A) of the Alaska Native

1 Claims Settlement Act (43 U.S.C. 1613(h)(1)(A)) of
2 additional cemetery sites that are not located in a
3 conservation system unit described in (a)(4), the
4 total acreage of which, together with the cemetery
5 sites and historical places previously conveyed by the
6 Secretary under subsection (c), shall not exceed 490
7 acres; and

8 (2) the Secretary shall—

9 (A) consider any applications for the con-
10 veyance of additional cemetery sites in accord-
11 ance with subsection (b); and

12 (B) if the applications are approved, pro-
13 vide for the conveyance of the sites in accord-
14 ance with subsection (c).

15 (g) PUBLIC ACCESS.—

16 (1) IN GENERAL.—Subject to paragraph (2),
17 any land conveyed under this section shall be subject
18 to—

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

22 (B) public access across the conveyed land
23 in cases in which no reasonable alternative ac-
24 cess around the land is available, without liabil-

1 ity to Sealaska, except for willful acts, to any
2 user by reason of the use; and

3 (C) public access to and along any Class I
4 stream described in section 705(e) of the Alas-
5 ka National Interest Lands Conservation Act
6 (16 U.S.C. 539d(e)) for noncommercial rec-
7 reational and subsistence fishing, without liabil-
8 ity to Sealaska, except for willful acts, to any
9 user by reason of the use.

10 (2) LIMITATIONS.—The public access and use
11 under subparagraphs (B) and (C) of paragraph (1)
12 shall be subject to—

13 (A) any reasonable restrictions that may
14 be imposed by Sealaska on the public access
15 and use—

16 (i) to ensure public safety;

17 (ii) to protect and conduct research on
18 the historic, archaeological, and cultural
19 resources of the conveyed land; or

20 (iii) to provide environmental protec-
21 tion;

22 (B) the condition that Sealaska post on
23 any applicable property, in accordance with
24 State law, notices of the restrictions on the
25 public access and use; and

1 (C) the condition that the public access
2 and use shall not be incompatible with or in
3 derogation of the values of the area as a ceme-
4 tery site or historical place, as provided in sec-
5 tion 2653.11 of title 43, Code of Federal Regu-
6 lations (or a successor regulation).

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

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

11 (B) provide standing to any third party in
12 any review of, or challenge to, any determina-
13 tion by Sealaska with respect to the manage-
14 ment or development of the land conveyed
15 under this section, except as against Sealaska
16 for the management of public access under
17 paragraph (2).

18 (h) PROHIBITION ON TRANSFER OR LOSS.—

19 (1) PROHIBITION ON TRANSFER.—Notwith-
20 standing any other provision of law, Sealaska shall
21 not—

22 (A) alienate, transfer, assign, mortgage, or
23 pledge any cemetery site or historical place con-
24 veyed under this section to any person or entity
25 other than the United States; or

1 (B) permit development or improvement of
2 the cemetery site or historical place for any use
3 which is incompatible with, or is in derogation
4 of, the values of the area as a cemetery site or
5 historical place.

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

10 (A) adverse possession and similar claims
11 based on estoppel;

12 (B) title 11 of the United States Code or
13 a successor law, any other insolvency or mora-
14 torium law, or any other law generally affecting
15 creditors' rights;

16 (C) judgments in any action at law or in
17 equity to recover sums owed or penalties in-
18 curred by Sealaska or any employee, officer, di-
19 rector, or shareholder of Sealaska, except for
20 liens from real property taxes; and

21 (D) involuntary distributions or convey-
22 ances to any person or entity other than the
23 United States related to the involuntary dis-
24 solution of Sealaska.

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

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

7 (2) subject to all laws (including regulations)
8 applicable to conveyances under section 14(h)(1) of
9 the Alaska Native Claims Settlement Act (43 U.S.C.
10 1613(h)(1)), including section 907(d) of the Alaska
11 National Interest Lands Conservation Act (43
12 U.S.C. 1636(d)).

13 **SEC. 6. MISCELLANEOUS.**

14 (a) SPECIAL USE AUTHORIZATIONS.—

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

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

21 (B) as a condition of the conveyance and
22 consistent with section 14(g) of the Alaska Na-
23 tive Claims Settlement Act (43 U.S.C.
24 1613(g)), Sealaska shall issue the holder of the
25 special use authorization terminated under sub-

1 paragraph (A) an authorization to continue the
2 authorized use, subject to the terms and condi-
3 tions that were in the special use authorization
4 issued by the Forest Service, for—

5 (i) the remainder of the term of the
6 authorization; and

7 (ii) 1 additional consecutive 10-year
8 renewal period.

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

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

21 (4) LIABILITY.—Neither Sealaska nor the
22 United States shall bear any liability, except for will-
23 ful acts of Sealaska or the United States, regarding
24 the use and occupancy of any land conveyed to

1 Sealaska under this Act, as provided in any outfit-
2 ting or guiding authorization under this subsection.

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

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

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

11 (c) TRADITIONAL TRADE AND MIGRATION
12 ROUTES.—

13 (1) IDENTIFICATION OF ROUTES.—

14 (A) THE INSIDE PASSAGE.—The route
15 from Yakutat to Dry Bay, as generally depicted
16 on the map entitled “Traditional Trade and Mi-
17 gration Route, Neix naax aan náx—The Inside
18 Passage” and dated April 22, 2013, shall be
19 known as “Neix naax aan náx” (“The Inside
20 Passage”).

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

1 and dated April 22, 2013, shall be known as
2 “Yakwdeiyí” (“Canoe Road”).

3 (C) THE PEOPLE’S ROAD.—The route from
4 Portage Bay to Duncan Canal, as generally de-
5 picted on the map entitled “Traditional Trade
6 and Migration Route, Lingít Deiyí—The Peo-
7 ple’s Road” and dated April 22, 2013, shall be
8 known as “Lingít Deiyí” (“The People’s
9 Road”).

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

18 (d) TONGASS NATIONAL FOREST YOUNG GROWTH
19 MANAGEMENT.—

20 (1) IN GENERAL.—Notwithstanding subsection
21 (m) of section 6 of the Forest and Rangeland Re-
22 newable Resources Planning Act of 1974 (16 U.S.C.
23 1604) and in addition to the authority provided
24 under that subsection and the terms of section
25 705(a) of the Alaska National Interest Lands Con-

1 servation Act (16 U.S.C. 539d(a)), the Secretary of
2 Agriculture may allow the harvest of trees prior to
3 the culmination of mean annual increment of growth
4 in areas that are available for commercial timber
5 harvest under the Tongass National Forest Land
6 and Resource Management Plan to facilitate the
7 transition from commercial timber harvest of old
8 growth stands.

9 (2) LIMITATION.—Any sale of trees pursuant to
10 the authority granted under paragraph (1) shall
11 not—

12 (A) exceed 15,000 acres during the 10-
13 year period beginning on the date of enactment
14 of this Act, with an annual maximum of 3,000
15 acres sold;

16 (B) exceed a total of 50,000 acres, with an
17 annual maximum of 5,000 acres sold after the
18 first 10-year period;

19 (C) be advertised if the indicated rate is
20 deficit (defined as the value of the timber is not
21 sufficient to cover all logging and stumpage
22 costs and provide a normal profit and risk al-
23 lowance under the appraisal process of the For-
24 est Service) when appraised using a residual
25 value appraisal; or

1 (D) apply to land withdrawn under section
2 4(b).

3 (3) APPLICABLE LAW.—Nothing in this Act af-
4 fects the requirement under section 705(a) of the
5 Alaska National Interest Lands Conservation Act
6 (16 U.S.C. 539d(a)) that the Forest Service seek to
7 meet demand for timber from the Tongass National
8 Forest.

9 (e) EFFECT ON OTHER LAWS.—

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

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

16 (B) a Native Corporation under—

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

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

22 (2) CONVEYANCES.—The Secretary shall
23 promptly proceed with the conveyance of all land
24 necessary to fulfill the final entitlement of all Native
25 Corporations in accordance with—

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

3 (B) the Alaska Land Transfer Acceleration
4 Act (43 U.S.C. 1611 note; Public Law 108–
5 452).

6 (3) FISH AND WILDLIFE.—Nothing in this Act
7 enlarges or diminishes the responsibility and author-
8 ity of the State with respect to the management of
9 fish and wildlife on public land in the State.

10 (f) ESCROW FUNDS.—If Sealaska files the resolution
11 in accordance with section 3(a)—

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

17 (2) Sealaska shall have no right to any proceeds
18 (including interest) held pursuant to the escrow re-
19 quirements of section 2 of Public Law 94–204 (43
20 U.S.C. 1613 note) that were derived from land origi-
21 nally withdrawn for selection by section 16 of the
22 Alaska Native Claims Settlement Act (43 U.S.C.
23 1615), but not conveyed.

24 (g) MAPS.—

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

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

8 **SEC. 7. CONSERVATION AREAS.**

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

14 “(13) BAY OF PILLARS.—Certain land which
15 comprises approximately 20,863 acres, as generally
16 depicted on the map entitled ‘Bay of Pillars LUD II
17 Management Area—Proposed’ and dated June 14,
18 2013.

19 “(14) KUSHNEAHIN CREEK.—Certain land
20 which comprises approximately 33,613 acres, as gen-
21 erally depicted on the map entitled ‘Kushneahin
22 Creek LUD II Management Area—Proposed’ and
23 dated June 14, 2013.

24 “(15) NORTHERN PRINCE OF WALES.—Certain
25 land which comprises approximately 8,728 acres, as

1 generally depicted on the map entitled ‘Northern
2 Prince of Wales LUD II Management Area—Pro-
3 posed’ and dated June 14, 2013.

4 “(16) WESTERN KOSCIUSKO.—Certain land
5 which comprises approximately 8,012 acres, as gen-
6 erally depicted on the map entitled ‘Western Kos-
7 ciusko LUD II Management Area—Proposed’ and
8 dated June 14, 2013.

9 “(17) EASTERN KOSCIUSKO.—Certain land
10 which comprises approximately 1,664 acres, as gen-
11 erally depicted on the map entitled ‘Eastern Kos-
12 ciusko LUD II Management Area—Proposed’ and
13 dated June 14, 2013.

14 “(18) SARKAR LAKES.—Certain land which
15 comprises approximately 24,509 acres, as generally
16 depicted on the map entitled ‘Sarkar Lakes LUD II
17 Management Area—Proposed’ and dated June 14,
18 2013.

19 “(19) HONKER DIVIDE.—Certain land which
20 comprises approximately 19,805 acres, as generally
21 depicted on the map entitled ‘Honker Divide LUD
22 II Management Area—Proposed’ and dated June
23 14, 2013.

24 “(20) EEK LAKE AND SUKKWAN ISLAND.—Cer-
25 tain land which comprises approximately 34,873

1 acres, as generally depicted on the map entitled ‘Eek
2 Lake and Sukkwan Island LUD II Management
3 Area—Proposed’ and dated June 14, 2013.”.

4 (b) NO BUFFER ZONES.—

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

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