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105TH CONGRESS
1ST SESSION

H. R. 3087

To require the Secretary of Agriculture to grant an easement to Chugach
Alaska Corporation.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 13, 1997

Mr. YOUNG of Alaska introduced the following bill; which was referred to the
Committee on Resources

A BILL

To require the Secretary of Agriculture to grant an easement
to Chugach Alaska Corporation.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. CHUGACH ALASKA CORPORATION SETTLE-**
4 **MENT IMPLEMENTATION.**

5 (a) FINDINGS.—Congress finds that—

6 (1) pursuant to section 1430 of the Alaska Na-
7 tional Interest Lands Conservation Act, the Sec-
8 retary of the Interior, the Secretary of Agriculture,
9 the State of Alaska, and Chugach Alaska Corpora-
10 tion (the Native Regional Corporation organized

1 under the authority of the Alaska Native Claims
2 Settlement Act for the Chugach people of the Chu-
3 gach Region and formerly known as Chugach Na-
4 tives, Inc.) were directed to study land ownership in
5 and around the Chugach Region for the purposes
6 of—

7 (A) providing a fair and just land settle-
8 ment for the Chugach people and realizing the
9 intent, purpose, and promise of the Alaska Na-
10 tive Claims Settlement Act by the Chugach
11 Alaska Corporation; and

12 (B) identifying lands that, to the maximum
13 extent possible, are of the like, kind, and char-
14 acter of those traditionally used and occupied
15 by the Chugach people, and, to the maximum
16 extent possible, are coastal accessible and eco-
17 nomically viable;

18 (2) on September 17, 1982, the aforementioned
19 parties entered into the 1982 Chugach Natives, Inc.
20 Settlement Agreement in order to set forth agree-
21 ment a fair and just land settlement for the Chu-
22 gach people pursuant to the study directed by Con-
23 gress, which among its many provisions—

24 (A) required the United States to convey
25 to Chugach Alaska Corporation not more than

1 73,308 acres of land in the vicinity of Carbon
2 Mountain, which tract of land contains signifi-
3 cant natural resources, but is inaccessible by
4 road; and

5 (B) granted Chugach Alaska Corporation
6 rights-of-way across Chugach National Forest
7 to such tract of land and required the United
8 States to grant to Chugach Alaska Corporation
9 an easement for the purpose of constructing
10 and using roads and other facilities necessary
11 for development of that tract of land on terms
12 and conditions to be determined by the Settle-
13 ment Agreement;

14 (3) without the such easements, the lands con-
15 veyed to Chugach Alaska Corporation in the vicinity
16 of Carbon Mountain cannot be utilized or developed
17 in a manner consistent with the intent of Congress
18 as expressed in the Alaska National Interest Lands
19 Conservation Act and the Alaska Native Claims Set-
20 tlement Act;

21 (4) Chugach Alaska Corporation and the Unit-
22 ed States Forest Service have been unable to reach
23 agreement on the procedures to be used for granting
24 the easement to Chugach Alaska Corporation or on

1 the terms and conditions related to such easement;
2 and

3 (5) the easement required under the 1982 Chu-
4 gach Natives, Inc. Settlement Agreement should be
5 granted without further delay.

6 (b) EASEMENT CONVEYANCE IMPLEMENTATION.—

7 (1) IN GENERAL.—Notwithstanding any other
8 provision of law, not later than 90 days after the
9 date of the enactment of this Act, the Secretary of
10 Agriculture shall, in accordance with the appropriate
11 environmental studies, grant Chugach Alaska Cor-
12 poration an irrevocable and perpetual 500-foot-wide
13 easement for the construction, use, and maintenance
14 of roads and related facilities necessary for access to
15 and economic development of the land interests in
16 the Carbon Mountain and Katalla vicinity that were
17 conveyed to Chugach Alaska Corporation pursuant
18 to the Alaska Native Claims Settlement Act. The
19 centerline of the easement is depicted on the map
20 entitled “Carbon Mountain Access Easement” and
21 dated November 4, 1997.

22 (2) SUBMISSION OF SURVEY; RELINQUISHMENT
23 OF UNNEEDED PORTION OF EASEMENT.—Not later
24 than 90 days after completion of construction of
25 roads and related facilities on the easement granted

1 pursuant to paragraph (1), Chugach Alaska Cor-
2 poration shall submit to the Secretary of Agriculture
3 an as-built survey of such roads and related facilities
4 and relinquish to the United States those portions of
5 the easement Chugach Alaska Corporation deems
6 not necessary for future use.

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