

Statement of Glenn Casamassa
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Before the
Senate Committee on Energy and Natural Resources
Subcommittee on Public Lands, Forests and Mining
Concerning
S. 1481 – Alaska Native Settlement Claims Improvement Act of 2017
February 7, 2018

Chairman Lee, Ranking Member Wyden, members of the Subcommittee, thank you for the opportunity to present the views of the U.S. Department of Agriculture (USDA) regarding S. 1481 – Alaska Native Settlement Claims Improvement Act of 2017. I am Glenn Casamassa, Associate Deputy Chief for the National Forest System (NFS), USDA Forest Service.

This testimony addresses sections 5, 6 and 13 of S. 1481, which affect the Forest Service. USDA will work with the Department of the Interior to the extent that the Forest Service is affected by Sections 10 and 11 of the bill. We defer to Department of the Interior for its views on the remaining sections of the bill.

Section 5

USDA generally does not have concerns with section 5 of the bill. This section permits consideration received by Shee Atiká Incorporated for the purchase of Cube Cove land by the United States to be treated as the receipt of land or interest in land within the meaning of section 21(c) of the Alaska Native Claims Settlement Act (ANCSA) (43 U.S.C. 1620(c)) or as cash in order to equalize the values of properties exchanged under section 22(f) of ANCSA (43 U.S.C. 1621(f)). We have a technical issue with the assignment of responsibilities that we would like to discuss with the sponsor.

The Cube Cove land purchase is in alignment with the current administrative process where the Forest Service and Shee Atiká Incorporated have entered into an Option Contract. It allows for the United States to purchase approximately 23,000 acres of surface estate in Cube Cove from Shee Atiká Incorporated. The contract identifies 13 segments that can be purchased over five years (2016-2020). Segments 1 through 6 (approximately half the acres or 52.6%) were purchased in two phases by the United States through the Land and Water Conservation Fund in FY2016 and FY2017. It is anticipated the land acquisition will be completed as funds become available, provided the contract terms and conditions are met.

Section 6

This section directs the exchange of approximately 23,000 acres of subsurface estate owned by Sealaska Corporation at Cube Cove on Admiralty Island for approximately 8,872.5 acres of surface and subsurface estate and 5,145 acres of surface estate only within the Tongass National Forest. The Forest Service is pursuing this exchange under existing authorities to resolve the split estate issue where the Forest Service owns surface estate and Sealaska owns the subsurface estate. Although the Department agrees with the goals of this legislation, we believe this exchange should be completed using an equal value exchange following existing regulations and policies, including appraisal in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions. USDA supports continuing to pursue resolution of the split estate and land interests with Sealaska Corporation using our administrative processes.

Section 13

Section 13 requires the Secretary of Agriculture to conduct a study on the impacts to Chugach Alaska Corporation (CAC) land caused by changes in Federal law or Federal or State land acquisitions since December 1, 1980. The study would be required to include recommendations for a land exchange and to identify at least 500,000 acres of Federal land that could be conveyed to CAC in exchange for CAC lands. USDA would like to work with the sponsor and the Committee on clarifying this section.

Thank you for opportunity to provide information about this bill. This concludes my prepared statement and I would be pleased to answer any questions you may have.