

Alaska Mental Health Trust Land Exchange Act of 2016

The Alaska Mental Health Trust (The Trust) is a state corporation established in 1956 to administer a perpetual trust established for the benefit of Alaskans with mental illness, developmental disabilities, chronic alcoholism, Alzheimer's disease and dementia. For nearly a decade, the Trust has been seeking to exchange 18,066 acres of forested lands that it owns near downtown Ketchikan, Juneau, Petersburg, Wrangell, Sitka and Myers Chuck, in return for an equal value (appraised) exchange of land in Ketchikan and on Prince of Wales Island near Naukati and Hollis. If the exchange occurs, the land the Trust would receive contains primarily second-growth timber and some old-growth timber.

The exchange is required to benefit from its one million acres of land in Alaska, 240,000 acres of which in Southeast. The lands currently held by the trust would generate the most value for the Trust if used for timber production. However, these lands contain some of the last remaining parcels of old-growth timber along the Inside Passage in Southeast Alaska and harvesting them could have wide ranging impacts from the aesthetic to tourism, recreation, wildlife management, and watershed protection. The land exchange would prevent these detrimental impacts and provide the opportunity for conservation in these old-growth areas. Exchanging the lands for an equal value of lands would also help the timber industry in Southeast by providing more private timber lands that could be managed on a sustained yield basis. The Trust hopes to be able to provide up to 20 million board feet of timber yearly to private mills in Southeast Alaska – timber currently urgently needed to support existing mills until the U.S. Forest Service's strategy of transitioning the region's timber industry to Young-Growth harvesting can be implemented.

The Trust formally proposed the current exchange to the Forest Service in 2012. Finally on June 30, 2015 the Forest Service and the Trust completed the "Agreement To Initiate" for an administrative land exchange. That exchange process, which involves an Environmental Impact Statement, could take up to a few years to complete. Given delays in Forest Service timber sale planning efforts, however, there are serious concerns that there will not be enough timber available to support the existing timber industry in Southeast, and to allow it to possibly transition to Young-Growth, unless the state and Mental Health Trust can provide bridge timber sales within the next 3 to 18 months. For that reason, Alaska Mental Health Trust Land Exchange Act of 2016 would congressionally authorize and direct the exchange, a process that should expedite its completion, so that timber could be transferred to the Trust within 12 months.

The Alaska Mental Health Trust Land Exchange Act of 2016 requires the exchange to be of equal value, based on appraisal, and further requires environmental reviews to protect all species, cultural and historic resources, and wetlands and floodplains. It also requires tribal consultations be conducted and that the trust cover all expenses incurred by the Forest Service in completing the exchange. The Trust has already worked with all the affected communities, the Southeast Alaska Conservation Council, the Tongass Futures Roundtable, the Mitkof Homeowners Association of Petersburg, The Nature Conservancy and Trout Unlimited to select lands with the least environmental impacts and to fashion the exchange terms to benefit wildlife. Community reviews already have been conducted and the exchange will protect a number of popular recreation trails in the region: the Mt. Bradley Trail in Juneau, the Sitka Cross and Haven Hill Trails in Sitka, the Rainbow Falls Trail in Wrangell, the Raven Trail in Petersburg and the Deer Mountain Trail in Ketchikan.

Section-by-Section Analysis

Sec. 1. Short title.

Section 1 provides a short title for the Act, the “Alaska Mental Health Trust Land Exchange Act of 2016.”

Sec. 2. Findings; Purpose.

Section 2 provides findings and purpose for the Act.

Sec. 3. Definitions.

Section 3 provides definitions for the Act.

Sec 4. Land Exchange:

Section 4 authorizes and directs the Secretary of Agriculture, upon completion of environmental reviews, to implement the proposed land exchange between the U.S. Forest Service and the Alaska Mental Health Trust. All lands proposed for exchange shall be appraised as soon as practicable after the date of enactment of this Act. The value of the Federal land and non-Federal land exchange must be equal, or must be equalized under a specified process. Before carrying out the land exchange, the Secretary of Agriculture must comply with all applicable reviews, mitigation activities, and approvals related to threatened and endangered species, cultural and historic resources, wetland and floodplains, and hazardous materials. Finally, the section expresses the intent of Congress that the exchange be finished within one year of enactment of this Act.

Sec. 5. Management of Non-Federal Lands.

Section 5 provides that upon acquisition any lands received by the Secretary of Agriculture become part of the Tongass National Forest and provides for necessary boundary adjustments of the Tongass National Forest and for the purposes of the Land and Water Conservation Fund. The bill requires the Trust to pay for all expenses involved in survey and transfer of the lands.

Sec. 6. Withdrawal.

Section 6 provides that all the non-Federal lands acquired by the Secretary of Agriculture are withdrawn from all forms of entry under public land laws and mining laws and from disposition under the mineral leasing, mineral materials, and geothermal leasing laws.

Sec. 7. Miscellaneous.

Section 7 revokes any public land orders covering the Federal land acquired by the Trust. This section also addresses maps regarding minor errors, conflicts, and availability.