



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Alaska State Office

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Instruction Memorandum No. AK 2007-037

Expires: 09/30/2008

To: FMs, DSDs, M-AFS

From: State Director

Subject: Alaska Native Claims Settlement Act Section 17(b) Easement Management

Program Area: Administration of easements reserved under Sec. 17(b) Alaska Native Claims Settlement Act, (ANCSA), pursuant to the Federal Land Policy Management Act (FLPMA), 43 CFR 2650.

Purpose: The Alaska Native Claims Settlement Act (ANCSA), 17(b) Easement Management Handbook has been reviewed by the Regional Solicitor's Office. It establishes specific policies and procedures for the management of 17(b) easements ranging from on-the-ground activities to administrative requirements. The Field Offices and other offices provided input and review on draft versions on the handbook and these comments have been incorporated where appropriate. This IM and handbook establish the general priority and policy for the management of 17(b) easements.

Policy/Action: The management of easements reserved pursuant to Section 17(b) of the ANCSA, as amended, including easement relocation, termination and acceptance of donations is discretionary and subject to availability of funds and prioritization of personnel and management objectives. As a matter of policy, the BLM's emphasis and management priority will be for those easements accessing lands permanently managed by the agency. All easement management proposals for easements accessing lands permanently managed by the BLM are discretionary for the Field Office Manager. Easement management proposals for easements accessing lands which are not permanently managed by the BLM require coordination with the State Office and briefing/approval of the State Director. All easement management actions shall be conducted in accordance with the guidance and policy contained in the BLM Alaska State Office 17(b) Easement Management Handbook found at:

[17\(b\) Easement Handbook](#)

[Appendix 1](#)

[Appendix 2](#)

[Appendix 3](#)
[Appendix 4](#)
[Appendix 5](#)
[Appendix 6](#)

For the above policies the following process will apply. All easement management proposals must be submitted as projects and approved through the Budget Planning System (BPS) process, and coded to the benefiting sub activity.

Timeframe: Effective immediately.

Background: Section 17(b) of the Alaska Native Claims Settlement Act (ANCSA) and 43 CFR 2650.4-7 authorize the reservation of public easements on lands conveyed to Alaska Native corporations. The primary purpose for reserving 17(b) easements to the United States is to reserve public access across, or facilitate access across, ANCSA conveyed lands to reach publicly owned lands and major waterways.

Easement administration consists of administrative functions which are typically office work and record keeping, and management functions which are typically on-the-ground activities. Easement management functions may be transferred to another Federal or state agency. However, the BLM is solely responsible for taking actions such as identifying, reserving, conforming easements to boundary surveys, conforming easements to easement agreements, record keeping, title affirmation, terminating, and processing and accepting donations on all 17(b) easements, including those administered by another entity.

Manual/Handbook Sections Affected: None.

Coordination: Regional Solicitor's Office, Anchorage District Office, Fairbanks District Office, Glennallen Field Office, Division of Resources, Lands and Planning.

Contact: Carolyn Spoon, Branch Chief, Lands and Realty, 907-271-4207, for further information.

Signed by:
Gust C. Panos
Acting State Director

Authenticated by:
Maria Rivero-Folmar
State Records Manager