

A Application Process

The application process begins when a regional corporation submits an application to BLM pursuant to Sec. 12(a)(1) of ANCSA and BLM establishes a case file and notes the land records.

1 Applicant

(Same as 12(c) process)

2 Public Room

The Public Room performs many duties, among them the initial processing of new applications. Once an application has been received, it is date-stamped and forwarded to the Public Room to be serialized, codified (casetype), and a case file established. The Public Room also enters the case data into the Interim Land Information System (ILIS).

Most land status and survey information needs can be found in the Public Room. The aperture card files contain microfilm copies of the most current master title plats (MTPs), historical indices (HIs) and survey plats. Other information, including Public Land Orders (PLOs), USGS quads, patents, deeds, interim conveyances (ICs), field survey notes, serial pages, easement quads, mineral surveys, etc., can also be found there.

Like regional selections made pursuant to Sec. 12(c), Sec. 12(a)(1) in-lieu subsurface estate selection applications were serialized using a base serial number specific to that region with a numeric suffix. It is not uncommon for a Sec. 12(a)(1) case to be serialized with the same base number as a neighboring Sec. 12(c) selection. However, the numeric suffix is always different. For example, selection application F-19248-22, filed by Arctic Slope Regional Corporation was filed under Sec. 12(a)(1) and F-19248-23 was filed pursuant to Sec. 12(c).

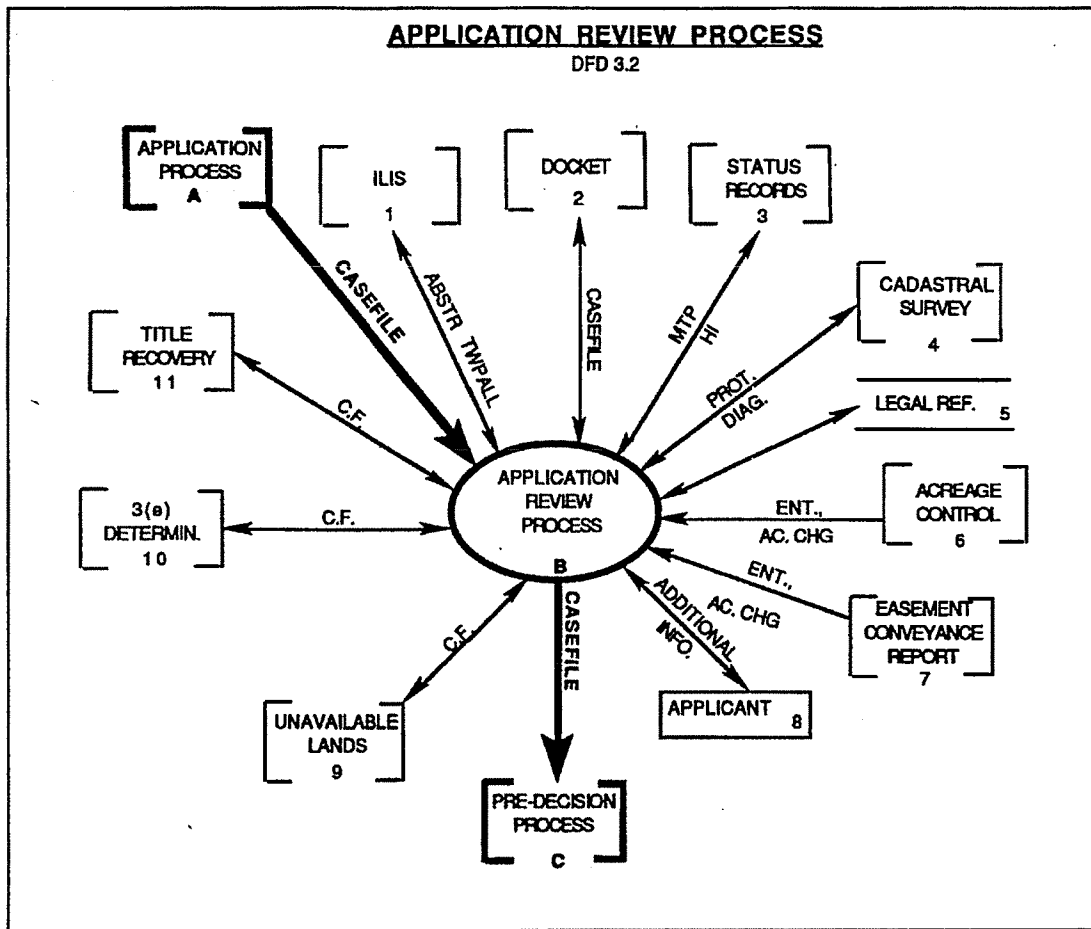
As Sec. 12(a)(1) applications are for the subsurface estate only, there is no need to create easement case files.

3 Docket

(Same as 12(c) process)

4 Title and Land Status (T&LS)

(Same as 12(c) process)



B Application Review Process

(Same as 12(c) Process)

1 ILIS

(Same as 12(c) Process)

2 Docket

(Same as 12(c) Process)

3 Status Records

(Same as 12(c) Process)

4 Cadastral Survey

(Same as 12(c) Process)

5 Legal References

(Same as 12(c) Process)

6 Acreage Control

Land conveyances made pursuant to ANCSA must be closely monitored to ensure that legislative entitlements are met but not exceeded. In this review process the adjudicator needs to become familiar with the entitlements listed below:

Sec. 12(a)(1) of ANCSA provides that where the subsurface estate beneath a village conveyance within the National Wildlife Refuge System or the Naval Petroleum Reserve is not available for regional conveyance, the regional corporation may make in-lieu subsurface estate selections in equal acreage from lands withdrawn under Secs. 11(a)(1) and/or 11(a)(3) within the region, if possible. Regional corporations with Sec. 12(a)(1) subsurface lands to select are listed below:

CORPORATION	ACRES*
The Aleut Corporation	146,798.00
Arctic Slope Regional Corporaton	631,282.33
Calista Corporation	521,512.91
Koniag, Inc., Regional Corporation	345,662.00

*This information is from the Division of Conveyance Management (960) Quarterly Report.

7 Easement Conveyance Progress Report (ECPR)

(Same as 12(c) Process)

8 Applicant

(Same as 12(c) Process)

a Filing Requirements

(Same as 12(c) Process)

(1) Corporate Status

(Same as 12(c) Process)

(2) Legal Descriptions and Map(s)

(Same as 12(c) Process)

(3) Timely Filed

Regional corporations must have filed their selection applications under

Sec. 12(a)(1) by December 18, 1975, 43 CFR 2652.2. Selections filed after that date are invalid.

b Selection Limitations

Subsurface selections made by a regional corporation pursuant to Sec. 12(a) of ANCSA must be contiguous and the total area selected must be reasonably compact, except as separated by subsurface interests that are not the property of the United States, including subsurface interests under bodies of water, and the selection will be in whole sections where they are available, or will include all available subsurface interests in less than whole sections and, wherever feasible, will be in units of not less than 1,280 acres. The total area selected will not be considered to be reasonably compact if it excludes other subsurface interests available for selection within its exterior boundaries or an isolated tract of subsurface interests owned by the United States of less than 1,280 acres remains after selection.

c Priority List(s)

(Same as 12(c) Process)

9 Unavailable Lands

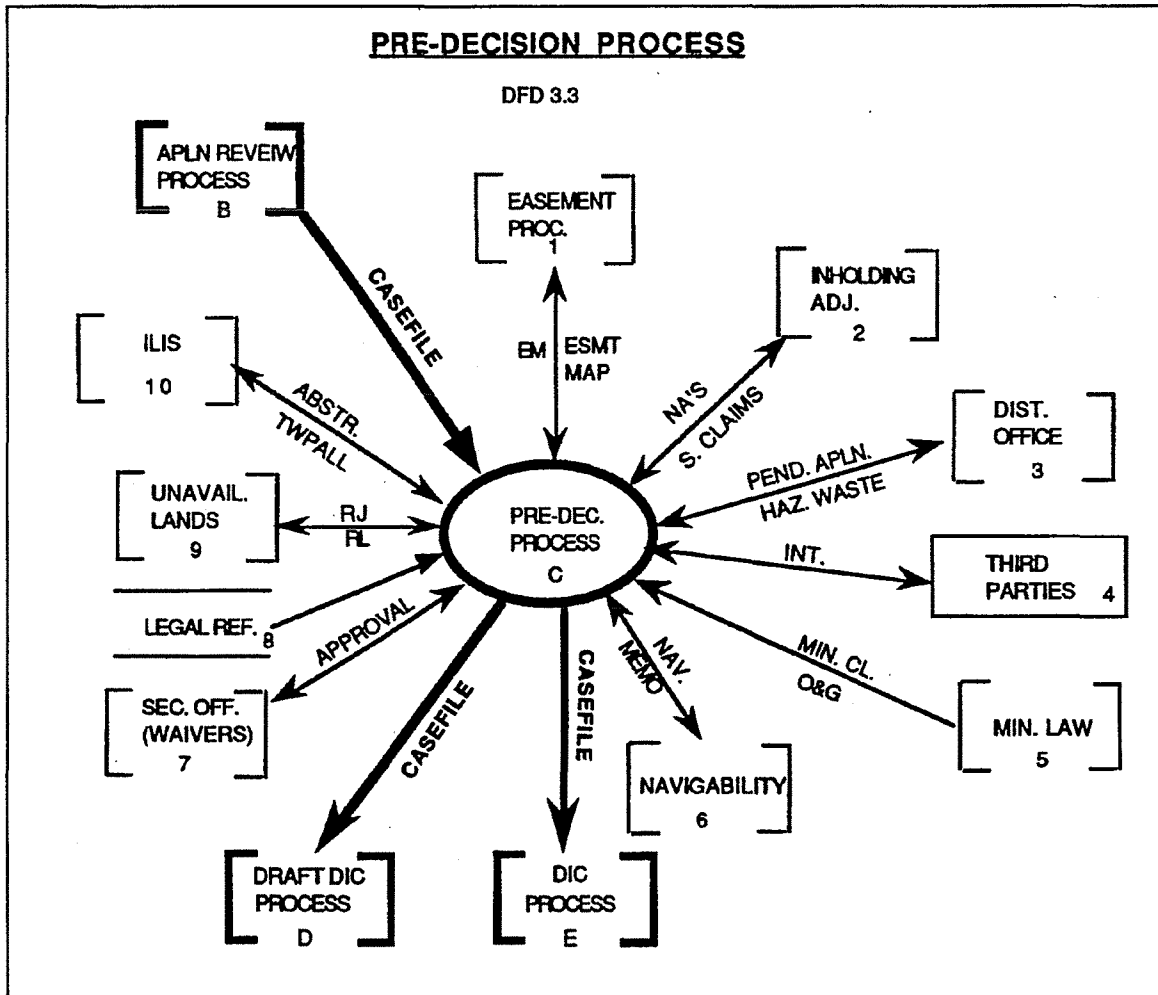
(Same as 12(c) Process)

10 Sec. 3(e) Determinations

(Same as 12(c) Process)

11 Title Recovery

(Same as 12(c) Process)



C Pre-Decision Process

(Same as 12(c) Process)

1 Easement Process

No easements will be reserved under Sec. 17(b) of ANCSA on in-lieu subsurface selections.

In the past, a request for easement identification was sent to the District Office (DO) as a formality. The DO concurred that no easements were to be reserved and sent a reply to conveyances. This step will not be taken, but a statement must be made in the DIC explaining the circumstances in regard to easements.

2 Inholding Adjudication

(Same as 12(c) process)

3 District Office

(Same as 12(c) process)

4 Third Party Interests

(Same as 12(c) process)

5 Mineral Law

(Same as 12(c) process)

6 Navigability Section

(Same as 12(c) process)

7 Secretary of the Interior

(Same as 12(c) process)

8 Legal References

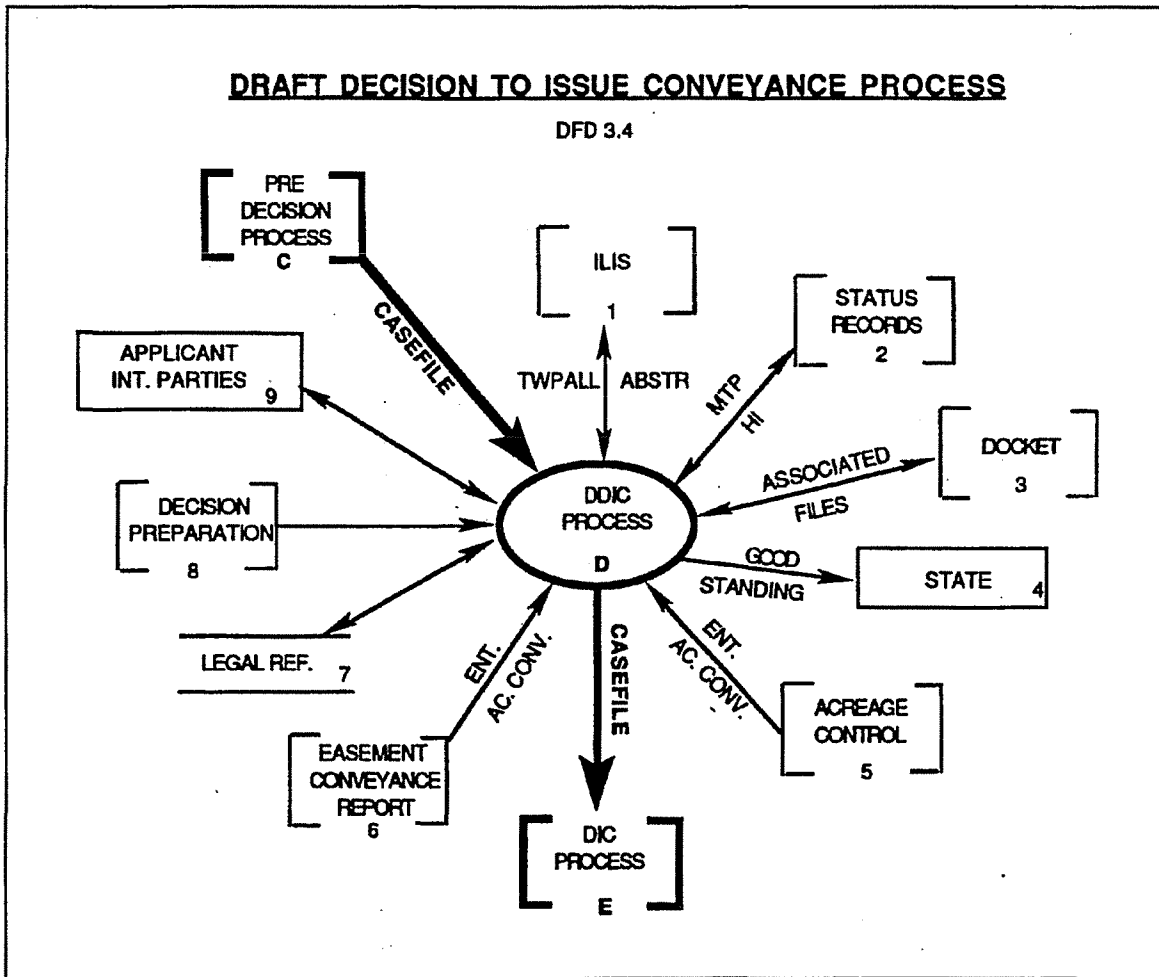
(Same as 12(c) process)

9 Unavailable Lands

(Same as 12(c) process)

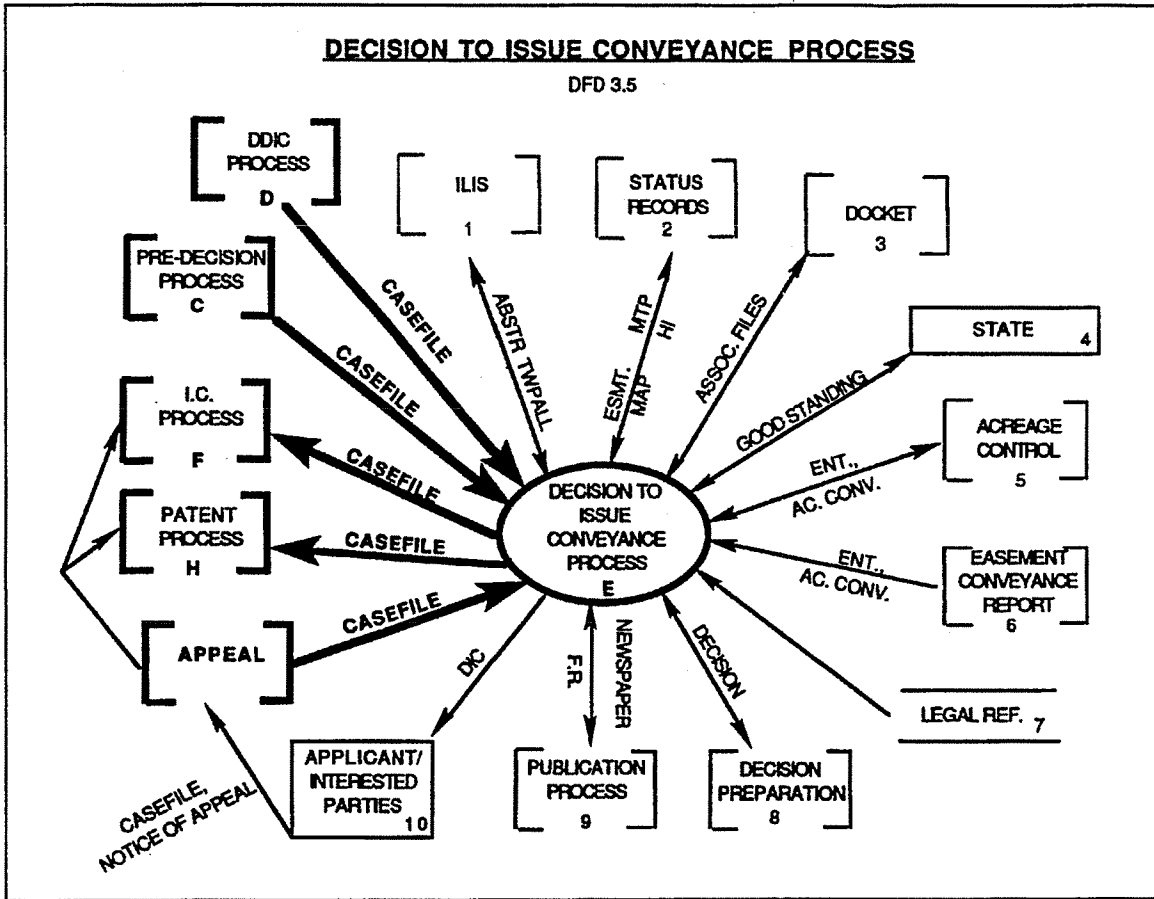
10 ILIS

(Same as 12(c) process)



D Draft Decision to Issue Conveyance (DDIC) Process

(Same as 12(c) process)



E Decision to Issue Conveyance (DIC) Process

1 ILIS

(Same as 12(c) process)

2 Status Records

(Same as 12(c) process)

3 Docket

(Same as 12(c) process)

4 State

(Same as 12(c) process)

5 Acreage Control

(Same as 12(c) process)

6 Easement/Conveyance Progress Report (ECPR)

(Same as 12(c) process)

7 Legal References

(Same as 12(c) process)

8 Decision Preparation

(Same as 12(c) process)

a Village Selections

(Same as 12(c) process)

b Regional Selections

(Same as 12(c) process)

c State Selections

(Same as 12(c) process)

d Native Allotments

(Same as 12(c) process)

e Townsites

(Same as 12(c) process)

f Valid Existing Rights

(Same as 12(c) process)

g Third-Party Interests

(Same as 12(c) process)

h Granted Rights-of-Way

(Same as 12(c) process)

i Powersites

(Same as 12(c) process)

j Coast Guard Installations

(Same as 12(c) process)

k Grazing Leases/Permits

(Same as 12(c) process)

l Public Land Orders

(Same as 12(c) process)

m Conservation System Units (CSUs)

(Same as 12(c) process)

n BIA School Sites

(Same as 12(c) process)

o Minerals

(Same as 12(c) process)

p Waiver of Administration

(Same as 12(c) process)

q Native Escrow

(Same as 12(c) process)

r Document Process

The work plat should be used to guide the adjudicator in writing the decision. Other reference materials should be used where needed. Use Glossary 624(a) for standard wording using the various options (cards) to fit the specific situations. In those cases where no standard wording is available, use creative writing skills. The decision should flow in a sequence similar to that outlined in the glossary:

Document Preparation

* Decision Heading

Card a

* Introduction Information

Card g

- Background Information
 - Legal References
 - * Analysis of conflicting Applications
 - * Lands proper for conveyance
 - * Navigable/Submerged/Tidal Status
 - * Exclusions
 - * Easements/Reservations
 - * Subject to's
 - * Conveyance to date
 - * Appeals & CC list
- Card t
 - Cards u-v
 - Cards w-1
 - Card 2
 - Cards 3-5,
 - Cards E-G,J
 - Card M
 - Card S

NOTE: If a DDIC is to be prepared the document is double spaced and issued to the:

**Regional Corporation
State of Alaska
Federal Land Managing Agency (e.g., Forest Service)**

There is no deadline for comments. It may be suggested In the cover letter that comments be submitted within 60 days.

If there are significant changes, a second draft may be required; however, this is normally not the case.

9 Publication Process

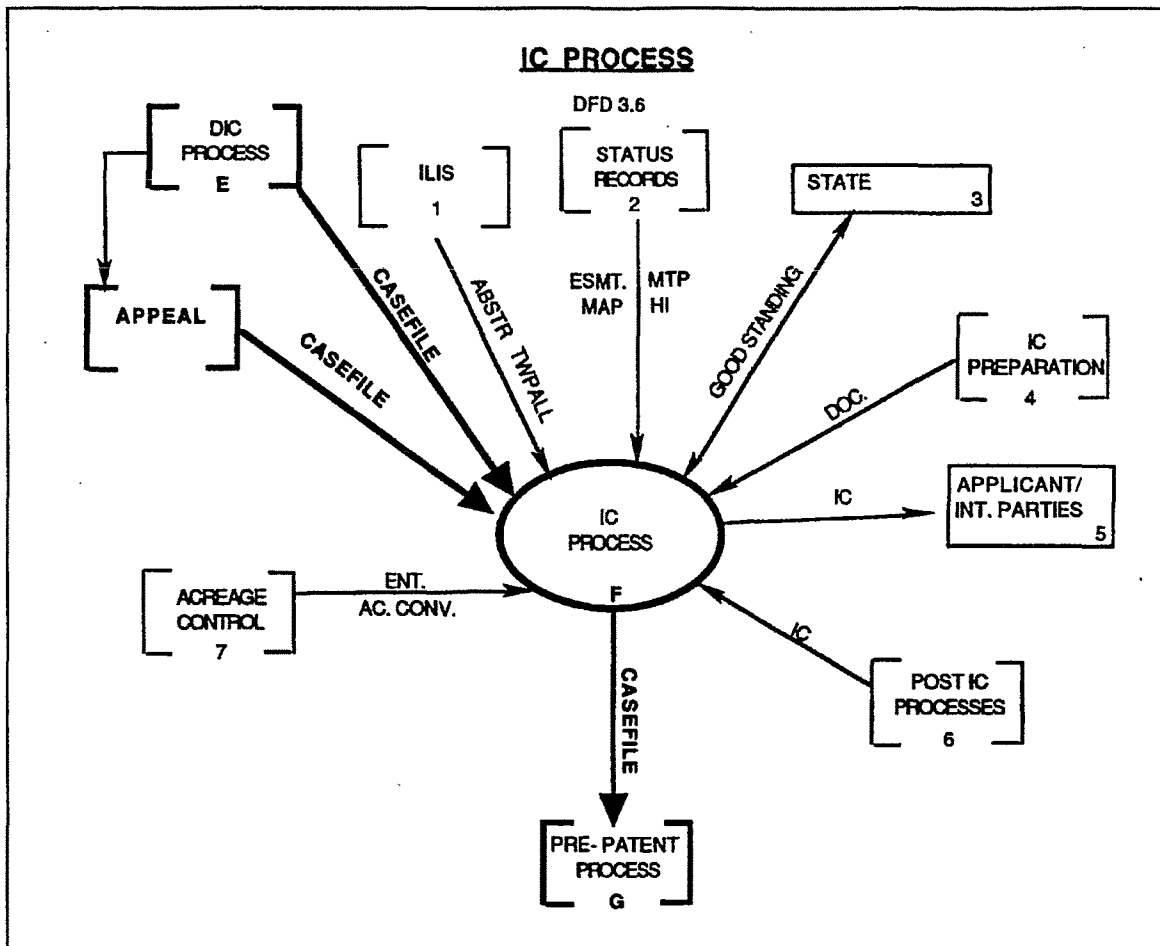
(Same as 12(c) process)

10 Applicant/Interested Parties

(Same as 12(c) process)

APPEAL PROCESS

(Same as 12(c) process)



F Interim Conveyance (IC) Process

1 ILIS

(Same as 12(c) process)

2 Status Records

(Same as 12(c) process)

3 State

(Same as 12(c) process)

4 IC Preparation

Prepare the IC using the land description, reservations, and subject to's contained in the DIC. For standard wording, use Glossary 54a and the appropriate options (cards) shown below:

Glossary 54a (Subsurface Estate to Regional Corporation):

- | | |
|------------------------------------|---------------|
| * IC Introduction | Card a |
| - Corporation Name | |
| - Authority | |
| - Land Description | |
| * Navigable/Submerged/Tidal Status | Cards b & c |
| * <i>Now Know Ye</i> Paragraph | Card d |
| * Subject to's | Card e, f & g |
| * Date/Signature Paragraph | Card h |

For examples, refer to the bound books containing the most recently issued ICs found in the Division of Conveyance Management.

5 Applicant/Interested Parties

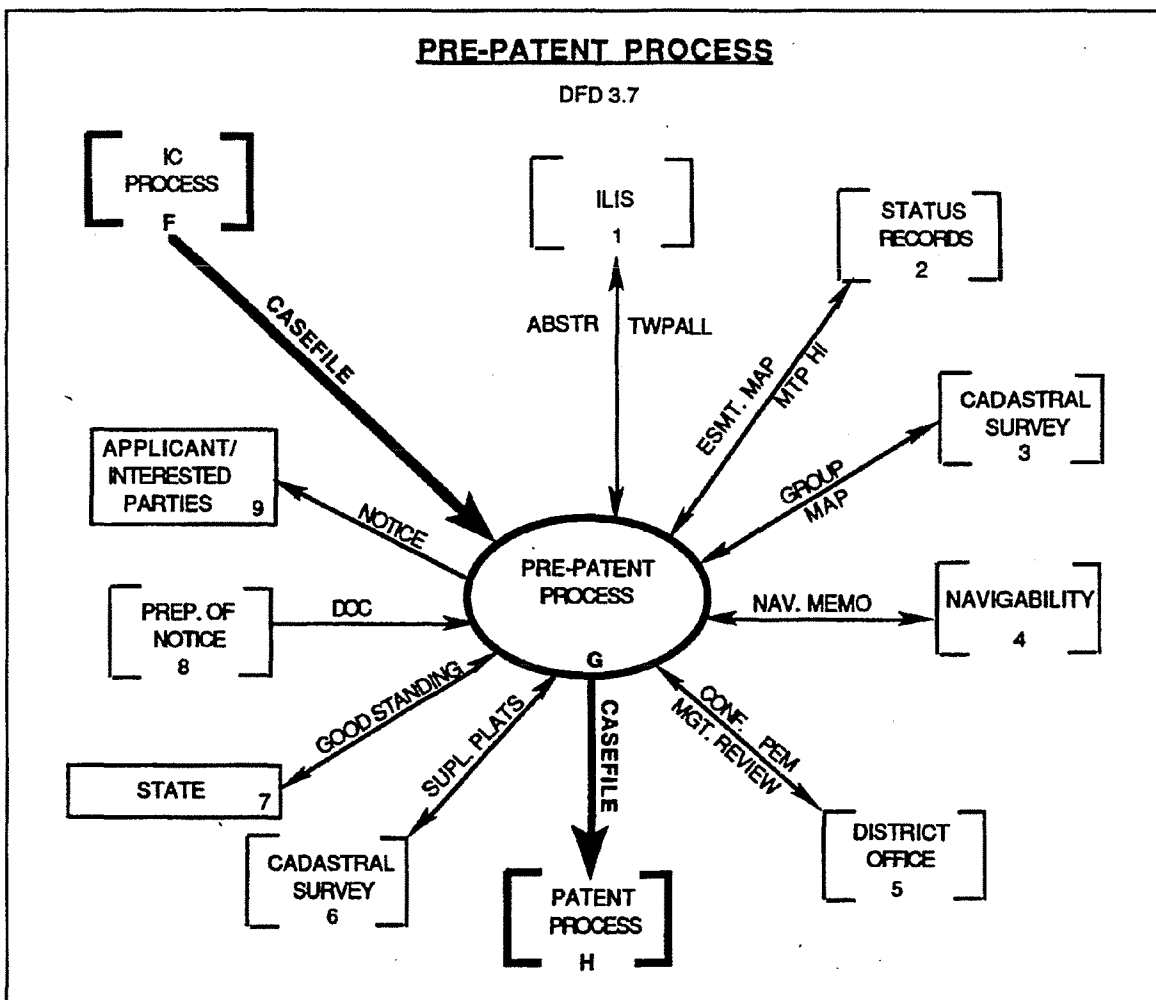
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6 Post-IC Processes

(Same as 12(c) process)

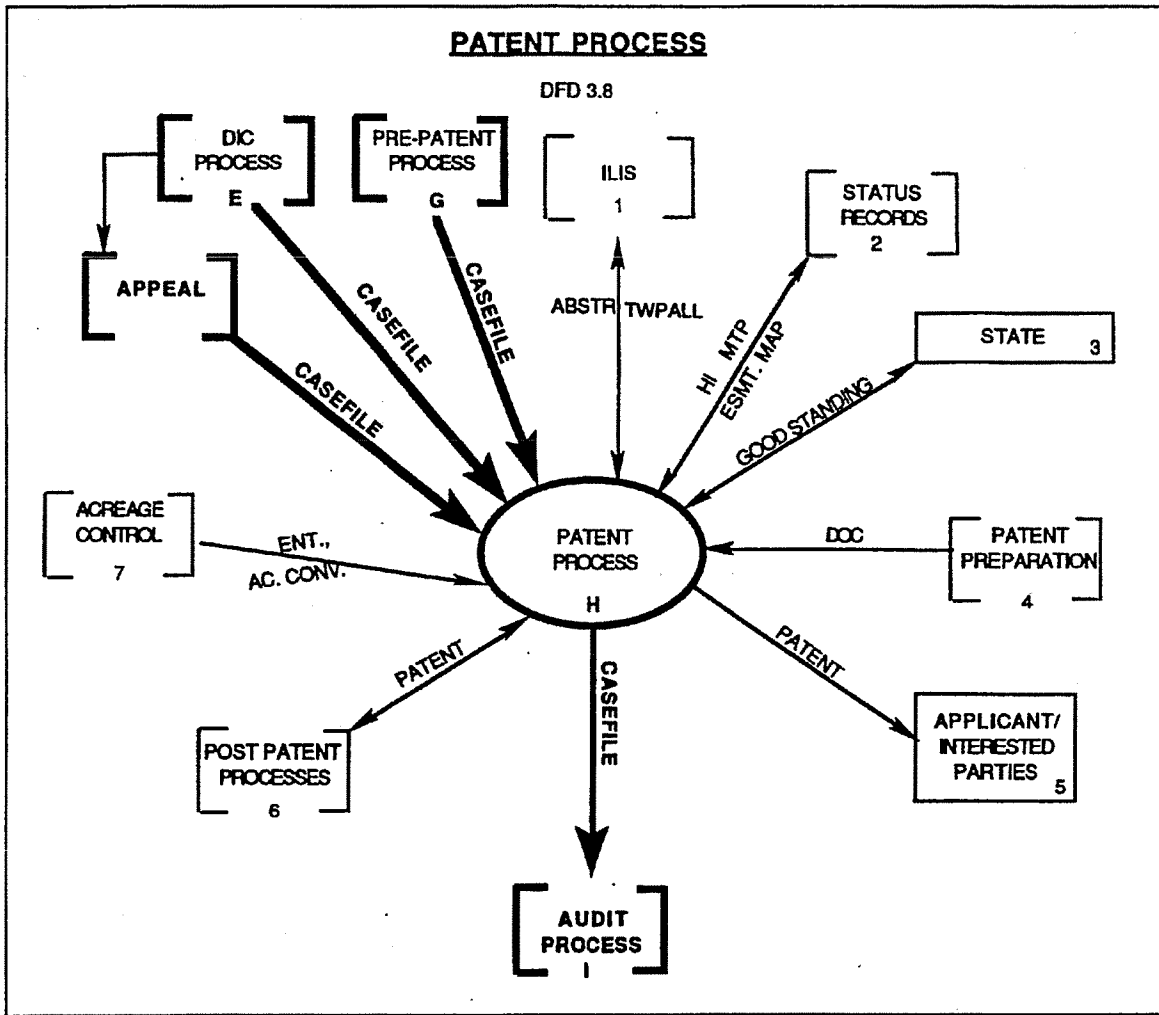
7 Acreage Control

(Same as 12(c) process)



G Pre-Patent Process

The procedures to be followed in preparing to issue a patent for previously ICd lands are identical to the Section 12(c) process. See the Section 12(c) process for details.



H Patent Process

(Same as 12(c) Process)

1 ILIS

(Same as 12(c) Process)

2 Status Records

(Same as 12(c) Process)

3 State

(Same as 12(c) Process)

4 Patent Preparation

A new glossary is being developed for this casetype (Glossary 88a)

is not appropriate).

5 Applicant/Interested Parties

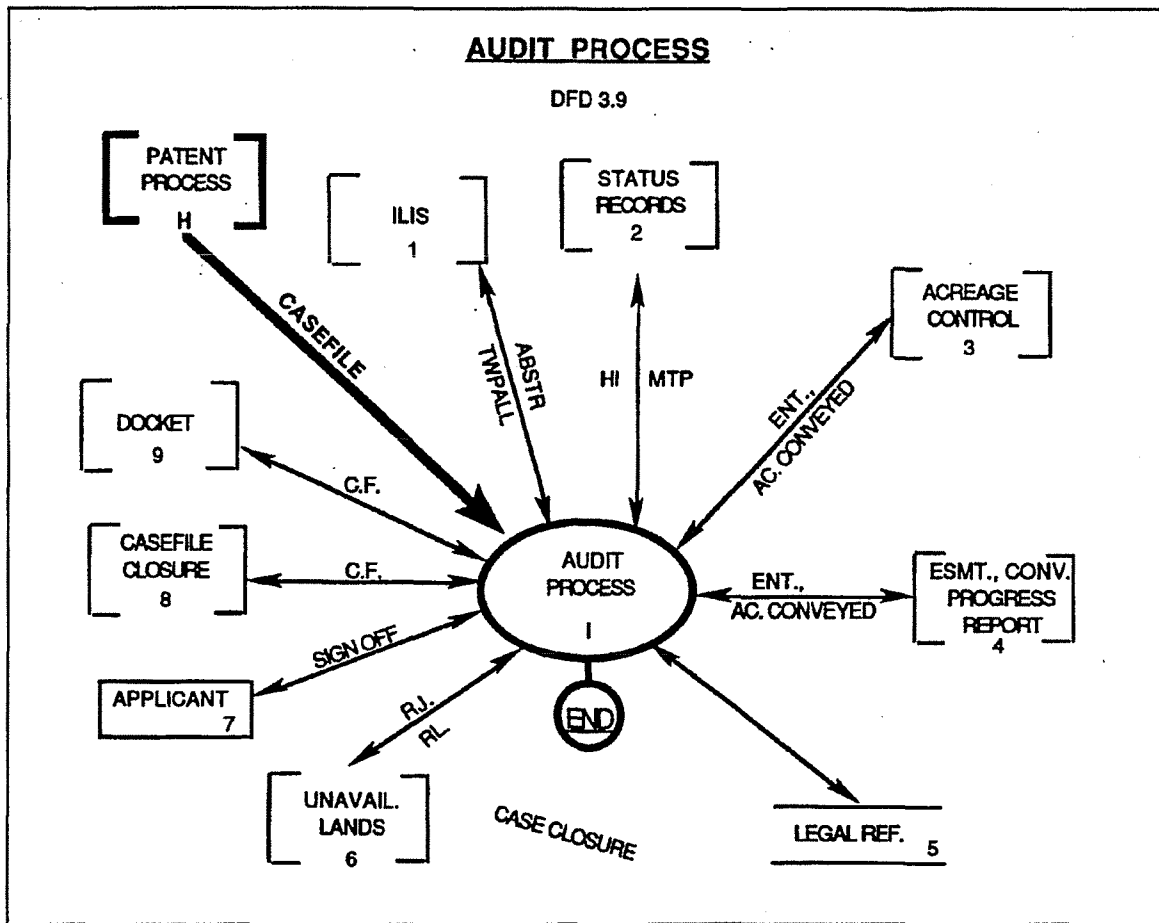
(Same as 12(c) Process)

6 Post-Patent Processes

(Same as 12(c) Process)

7 Acreage Control

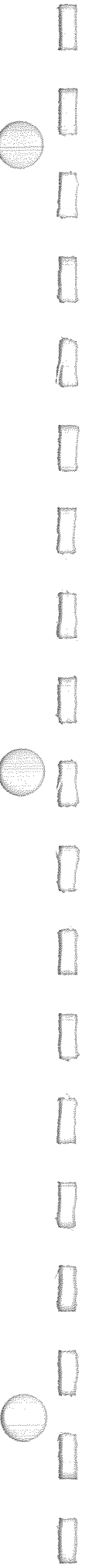
(Same as 12(c) Process)



I Audit Process

The Audit Process for ANCSA Sec. 12(a)(1) selection applications is identical to the procedures used for auditing ANCSA Sec. 12(c) selection applications.

For details of this process, refer to Chapter II, Regional Selections, Audit Process I.



ANCSA HANDBOOK

CHAPTER 4

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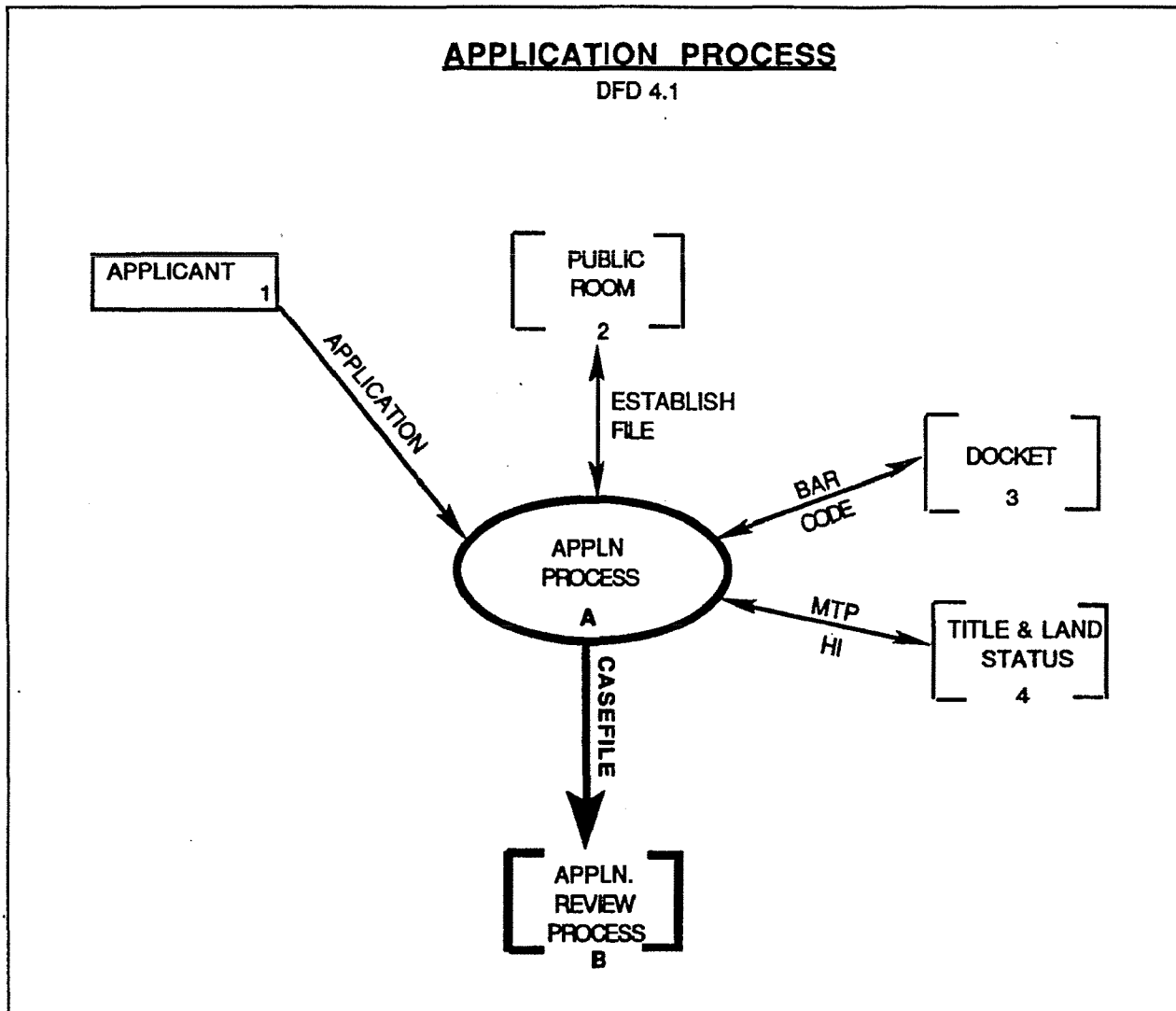
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CHAPTER IV**IV REGIONAL SELECTIONS: (14(h)(8))****BACKGROUND INFORMATION**

The Alaska Native Claims Settlement Act (ANCSA) defined and directed the creation of regional corporations and prescribed the manner in which they were to select and receive land conveyances. The following is a summary of key ANCSA sections that apply to Sec. 14(h)(8) regional corporation selections.

Section 14(h) of ANCSA authorizes the Secretary to withdraw and convey 2 million acres of unreserved and unappropriated public lands located outside the areas withdrawn by Secs. 11 and 16. Subsection 8 further provides that any portion of the 2 million acres not conveyed is to be allocated and conveyed to the regional corporations on the basis of population.

Regulations governing the selection and conveyance of lands to regional corporations are found in 43 CFR 2650, 2652 and 2653.



A Application Process

The application process begins when a regional corporation submits an application to BLM pursuant to Sec. 14(h)(8) of ANCSA and BLM establishes a case file and notes the land records.

1 Applicant

(Same as 12(c) Process)

2 Public Room

The Public Room performs many duties, among them the initial processing of new applications. Once an application has been received, it is date-stamped and forwarded to the Public Room to be serialized, codified (casetype), and a case file established. The Public Room also enters the case data into the Interim Land Information System (ILIS).

Most land status and survey information needs can be found in the Public Room. The aperture card files contain microfilm copies of the most current master title plats (MTPs), historical indices (HIs) and survey plats. Other information, including Public Land Orders (PLOs), USGS quad maps, patents, deeds, interim conveyances (ICs), field survey notes, serial pages, easement quads, mineral surveys, etc., can also be found there.

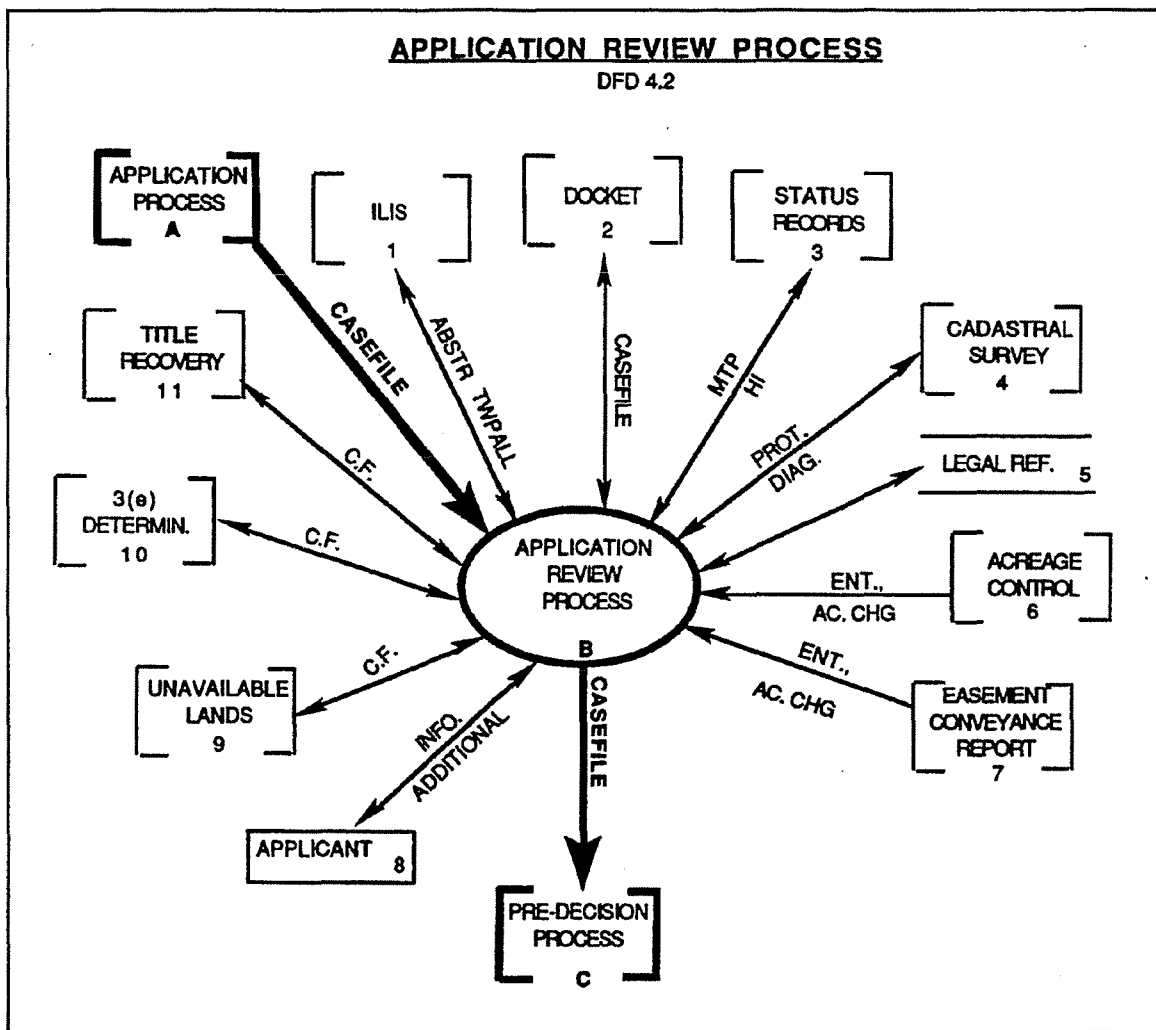
Each regional selection application filed pursuant to Sec. 14(h)(8) was assigned a serial number in the order it was received in the Public Room without a suffix. For 14(h)(8) cases only, the corresponding easement case file is assigned the same base serial number as the application with the suffix "-8E". For example, case file F-72913 is a Sec. 14(h)(8) selection filed by Bering Straits Native Corporation. The corresponding easement case file is serialized as F-72913-8E.

3 Docket

(Same as 12(c) Process)

4 Title and Land Status (T&LS)

(Same as 12(c) Process)



B Application Review Process

(Same as 12(c) Process)

1 ILIS

(Same as 12(c) Process)

2 Docket

(Same as 12(c) Process)

3 Status Records

(Same as 12(c) Process)

4 Cadastral Survey

(Same as 12(c) Process)

5 Legal References

(Same as 12(c) Process)

6 Acreage Control

It is necessary to monitor land conveyances made pursuant to Sec. 14(h)(8) of ANCSA and to ensure that legislative entitlements are met but not exceeded.

The ANCSA states that any portion of the 2 million acres authorized for conveyance under Sec. 14(h) that is not conveyed under other 14(h) subsections shall be allocated and conveyed to the regional corporations under Sec. 14(h)(8). The decision of January 19, 1977 (43 FR 6419), as amended by the decision of October 31, 1978 (43 FR 53062), finalized the Sec. 14(h) percentiles for each region. These were used in determining Sec. 14(h)(1), (2), (5), and (8) allocations, as published in the Federal Register, 48 FR. 37086, (1983).

The August 25, 1988 Memorandum of Agreement between the Alaska Federation of Natives, Inc. and BLM established guidelines for regional corporations to use when relinquishing any portion of their Sec. 14(h)(1), (2), and (5) allocations. It also allows the relinquished acreage to be reallocated under Sec. 14(h)(8) in accordance with 43 CFR 2653.1(b). The Federal Register publication of July 6, 1989, 54 FR. 28510, identified those regional corporations that relinquished all or a part of their Sec. 14(h)(1), (2), and (5) allocations and listed revised regional corporation acreage allocations for Secs. 14(h)(1), (2), (5), and (8). Those figures representing each regions population percentage and Sec. 14(h)(8) allocation are reflected in the chart below:

CORPORATION	% by Population (Pub. 1978)	Acres Allocated under 14 (h)(8)
Ahtna	1.41538	20,126.78
Aleut	4.36431	62,060.75
ASRC	5.07850	72,216.57
BSNC	8.98443	127,759.13
BBNC	7.17430	102,018.97
Calista	17.45725	248,243.14
Chugach	2.73467	38,887.17
CIRI	8.15078	115,904.58
Doyon	12.00348	170,690.20
Koniag	4.40716	62,670.07

NANA	6.38041	90,729.81
Sealaska	21.84883	310,691.67
TOTAL		1,422,006.00

*Note: The above figures are current, but may change as a result of future special legislation.

7 Easement Conveyance Progress Report

(Same as 12(c) Process)

8 Applicant

(Same as 12(c) Process)

a Filing Requirements

(1) Corporate Status

(Same as 12(c) Process)

(2) Legal Descriptions and Maps

(Same as 12(c) Process)

(3) Timely Filed

Regional corporations must have filed their Sec. 14(h)(8) selection applications by September 18, 1978, 43 CFR 2653.4(c). Selections filed after that date are invalid.

b Selection Limitations

Selection limitations are contained in Sec. 14(h)(8) of ANCSA and 43 CFR 2653.9. Sec. 14(h)(8) selections may only be made from lands withdrawn by Secs. 11(a)(1)(B) and (C), 11(a)(3), and 16(a) of ANCSA and not conveyed pursuant to selections made under Secs. 12(a) and (b), 16(b), or 19 of ANCSA.

Selections made under Secs. 14(h)(1), (2), (3), and (5) of ANCSA will take priority over selections made pursuant to Sec. 14(h)(8).

Selections need not be contiguous but must be made along section lines in reasonably compact tracts of at least 5,760 acres. The exterior boundaries of such tracts must be in linear segments of not less than two miles in length, except where there are adjoining unavailable lands or where shorter segments are necessary to follow section lines where

township lines are offset along standard parallels caused by the convergence of meridians.

c Priority List(s)

A regional corporation may select lands in excess of its entitlement, 43 CFR 2652.3(f). It should identify its choices numerically in the order it wishes them conveyed. If no priority list has been filed, request one from the applicant. Prior to any conveyance, check with the applicant to see if the priority list on file is still current. The applicant may update its priorities at any time prior to conveyance.

9 Unavailable Lands

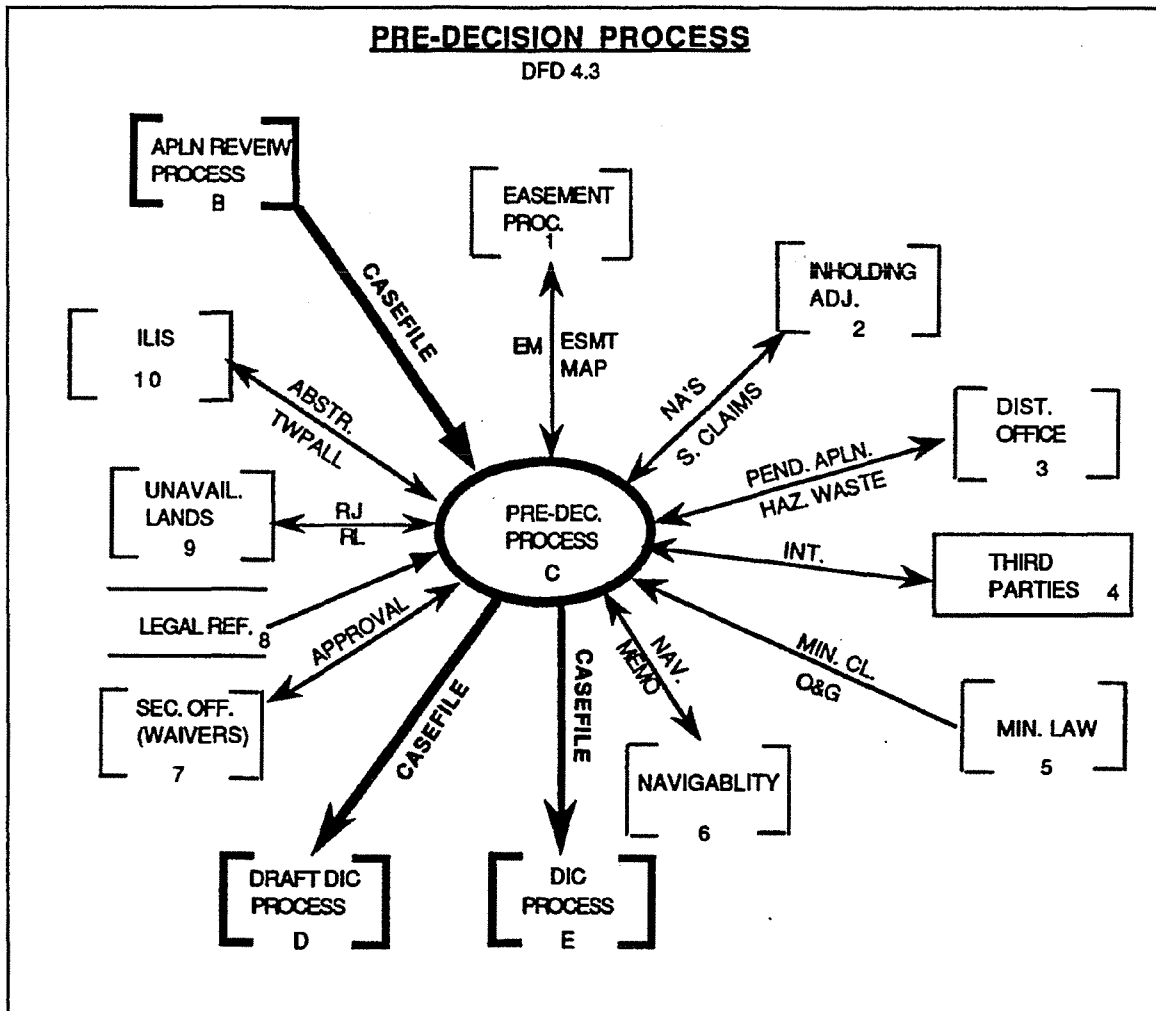
(Same as 12(c) Process)

10 Sec. 3(e) Determinations

(Same as 12(c) Process)

11 Title Recovery

(Same as 12(c) Process)



C Pre-Decision Process

(Same as 12(c) Process)

1 Easement Process

(Same as 12(c) process)

a Easement Maps

(Same as 12(c) process)

b Easement Identification

(Same as 12(c) process)

(1) Pre-Easement Request Procedures

If an easement case file has not been established for the selection, request the Public Room to create one at this time. The easement file will have the same base serial

number as the selection with the suffix "-8E". For example, the easement case file for the regional Sec. 14(h)(8) selection file AA-16178 will be AA-16178-8E.

To establish the easement case file, prepare a short note transmittal to the Public Room requesting them to establish the file. Also provide them with the following information and request that the file be returned after serialization:

The regional selection case file serial number;

The applicants and their addresses (e.g., BLM (ASO) and the regional corporation);

The casetype (75.4); and

Action codes to be entered into the ILIS case history abstract (e.g., action code 001 - Case Established).

NOTE: No land description or acreage is coded to an easement case file.

Also attach the following documents to the short note transmittal and request that they be placed in the new file:

A copy of the regional selection application; and

The easement maps (if available).

Either hand-carry or send the short note transmittal and attachments to the cashier's counter in the Public Room. After being serialized, the case file will be sent to Docket for bar coding and routed to the adjudicator.

Approximate timeframe: 1 to 3 weeks.

(2) Easement Request

(Same as 12(c) process)

(3) District Response

(Same as 12(c) process)

2 Inholding Adjudication

(Same as 12(c) process)

3 District Office

(Same as 12(c) process)

4 Third Party Interests

(Same as 12(c) process)

5 Mineral Law

(Same as 12(c) process)

6 Navigability Section

(Same as 12(c) process)

7 Legal References

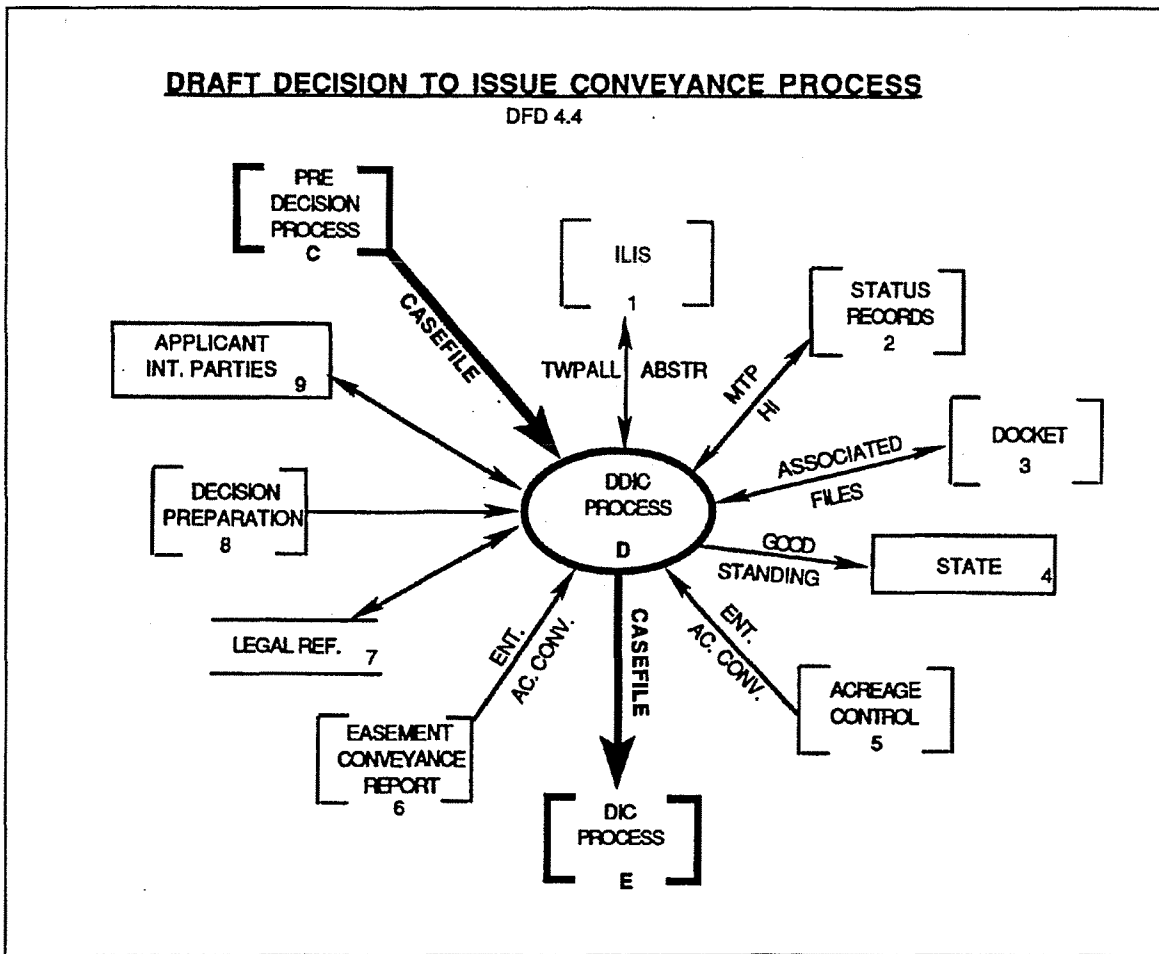
(Same as 12(c) process)

8 Unavailable Lands

(Same as 12(c) process)

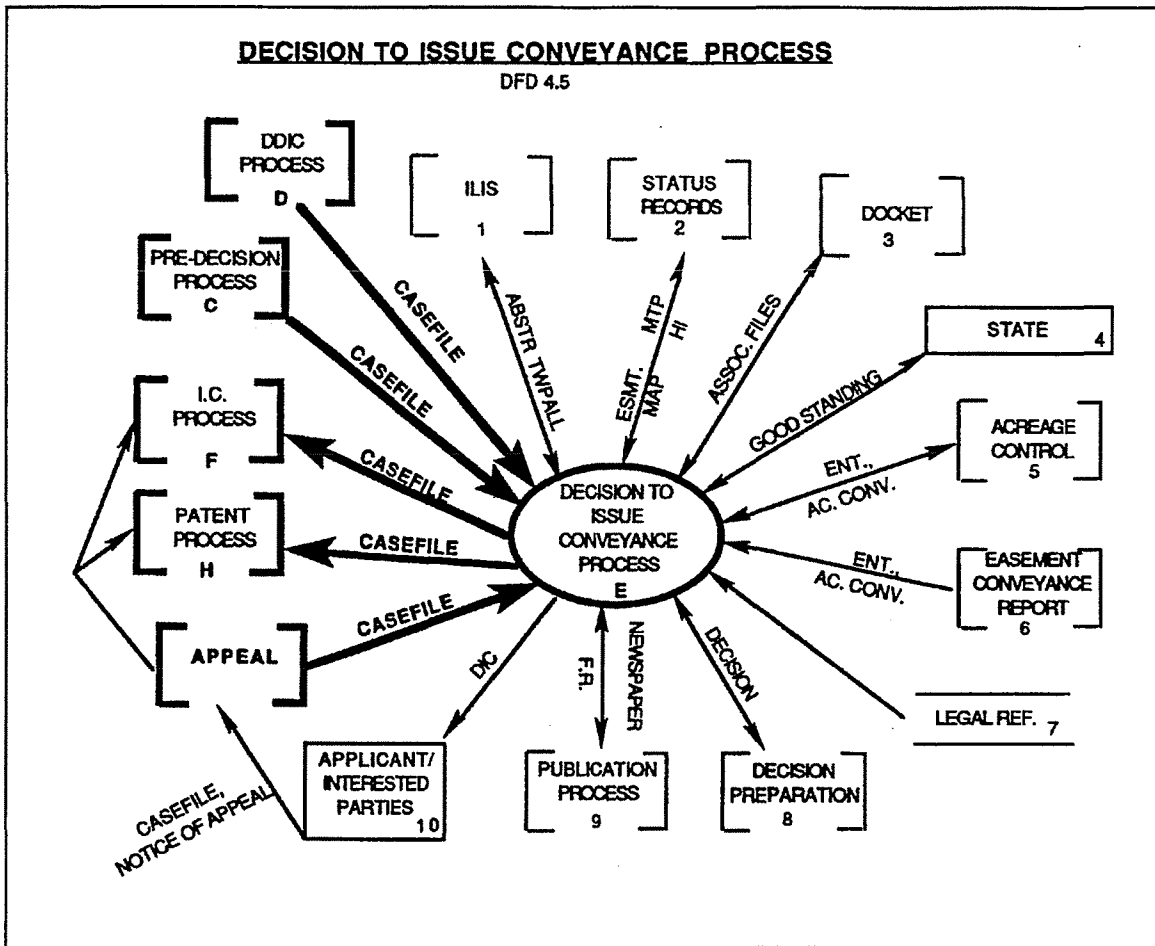
9 ILIS

(Same as 12(c) process)



D. Draft Decision to Issue Conveyance (DDIC)

(Same as 12(c) process)



E Decision to Issue Conveyance (DIC) Process

1 ILIS

(Same as 12(c) process)

2 Status Records

(Same as 12(c) process)

3 Docket

(Same as 12(c) process)

4 State

(Same as 12(c) process)

5 Acreage Control

(Same as 12(c) process)

6 Easement/Conveyance Progress Report (ECPR)

(Same as 12(c) process)

7 Legal References

(Same as 12(c) process)

8 Decision Preparation**a Village Selections**

(Same as 12(c) process)

b Regional Selections

The regulations under 43 CFR 2653.9 state that Sec. 14(h)(1), (2), (3), and (5) selections have priority over Sec. 14(h)(8) selections. Therefore, Sec. 14(h)(8) applications must await final adjudication of the other Sec. 14(h) categories. If the lands are dually selected pursuant to Sec. 12(c) and Sec. 14(h)(8), it may be necessary to contact the corporation and requesting its preference for conveyance. Section 12(c) or other Sec. 14(h) selections have priority and would have to be relinquished before a Sec. 14(h)(8) selection can be approved.

c State Selections

(Same as 12(c) process)

d Native Allotments

(Same as 12(c) process)

e Townsites

(Same as 12(c) process)

f Valid Existing Right

(Same as 12(c) process)

g Third Party Interests

(Same as 12(c) process)

h Granted Rights-of-Way

(Same as 12(c) process)

i Power Sites

(Same as 12(c) process)

j Coast Guard Installations

(Same as 12(c) process)

k Grazing Leases

(Same as 12(c) process)

l Public Land Orders

(Same as 12(c) process)

m Conservation System Units (CSUs)

(Same as 12(c) process)

n BIA School Sites

(Same as 12(c) process)

o Minerals

(Same as 12(c) process)

p Waiver of Administration

(Same as 12(c) process)

q Native Escrow

(Same as 12(c) process)

r Document process

(Same as 12(c) process)

9 Publication process

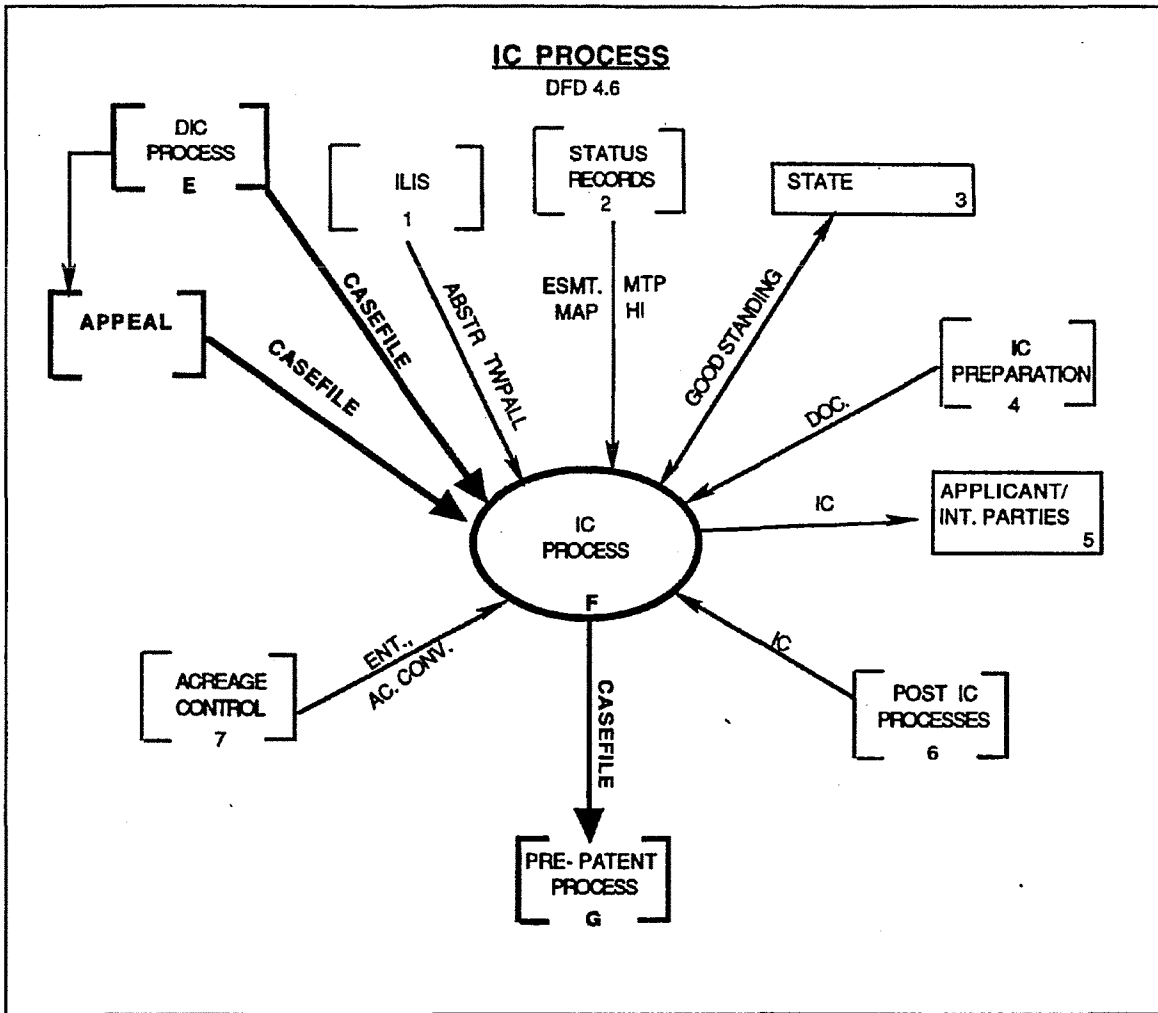
(Same as 12(c) process)

10 Applicant/Interested Parties

(Same as 12(c) process)

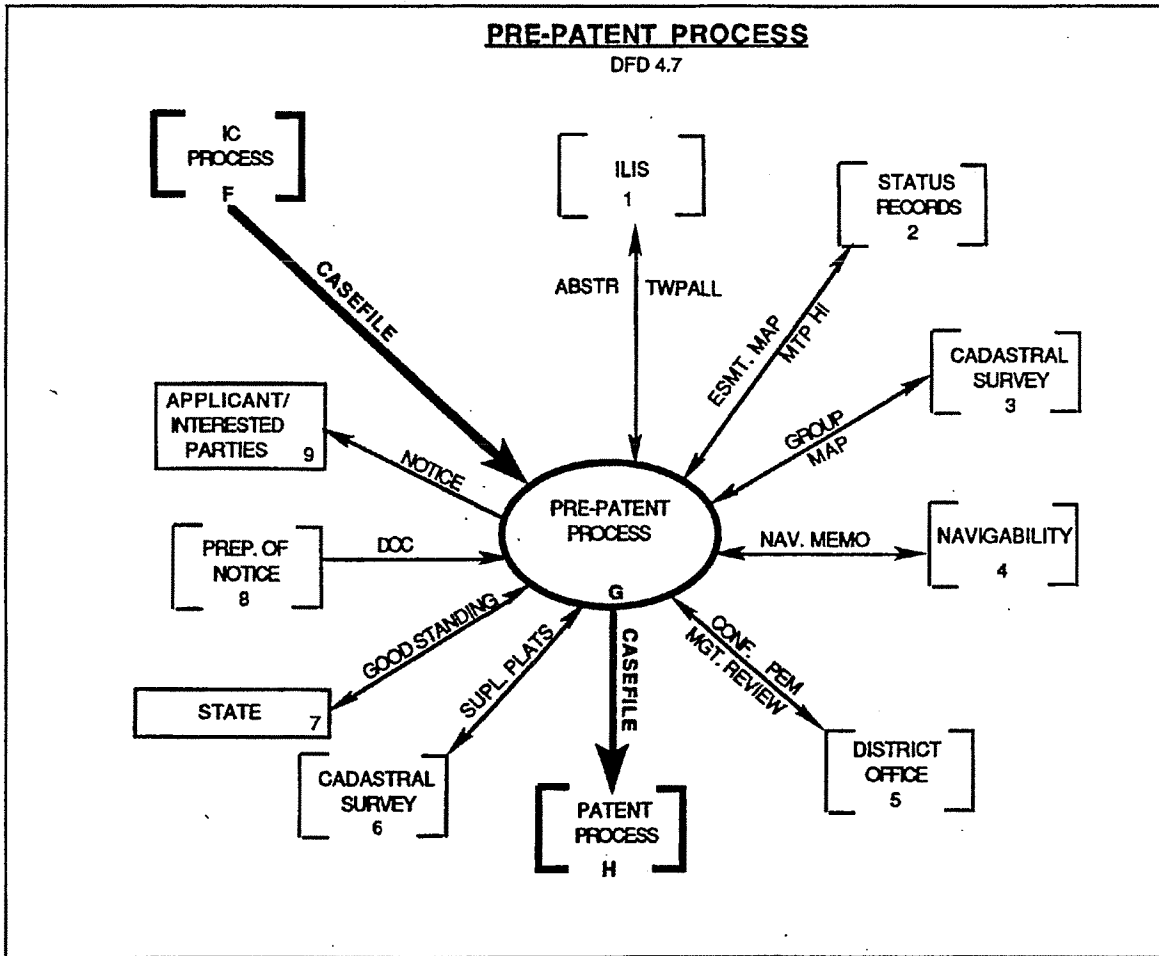
APPEAL PROCESS

(Same as 12(c) process)



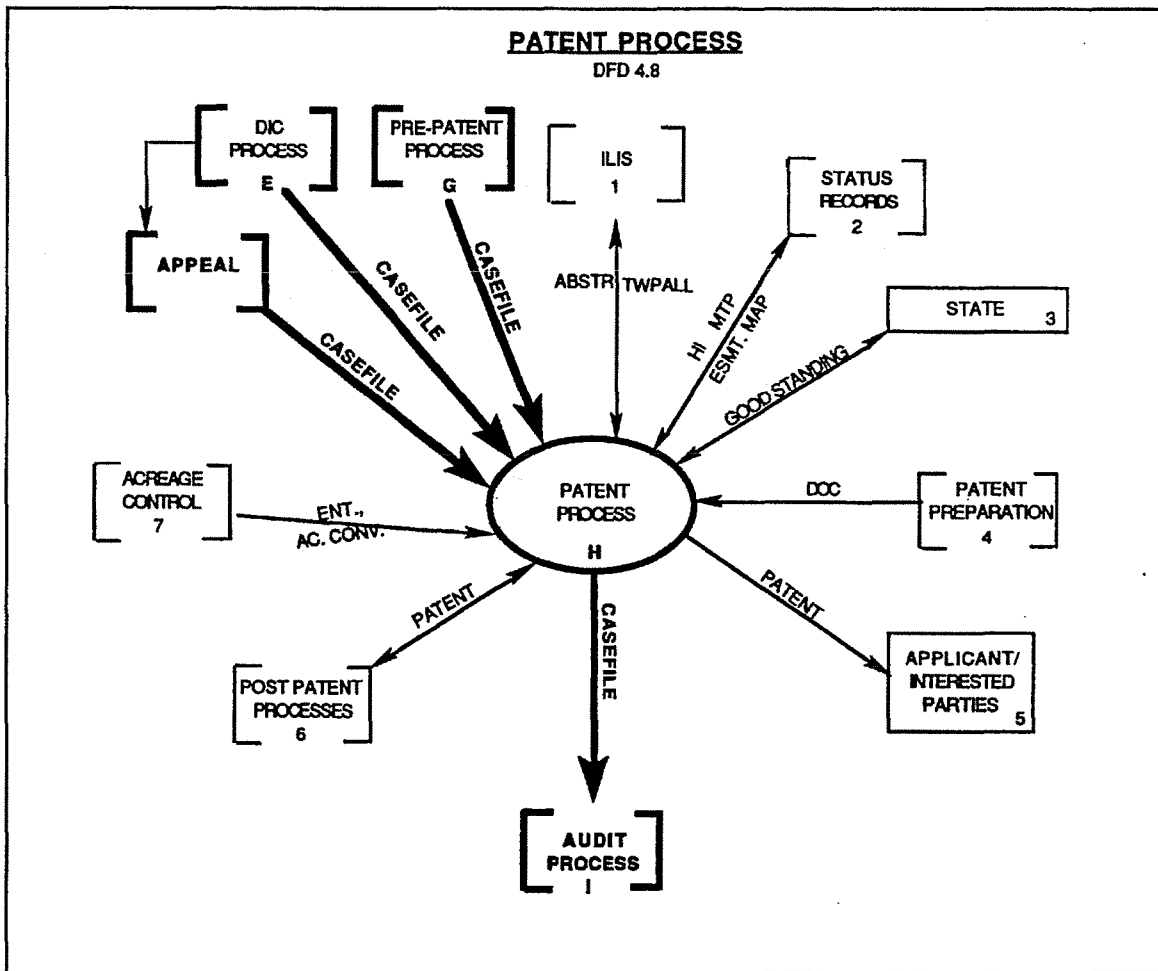
F Interim Conveyance (IC) Process

The procedures to be followed in issuing an IC pursuant to Sec. 14(h)(8) are identical to the Sec. 12(c) process. See the Sec. 12(c) process for details.



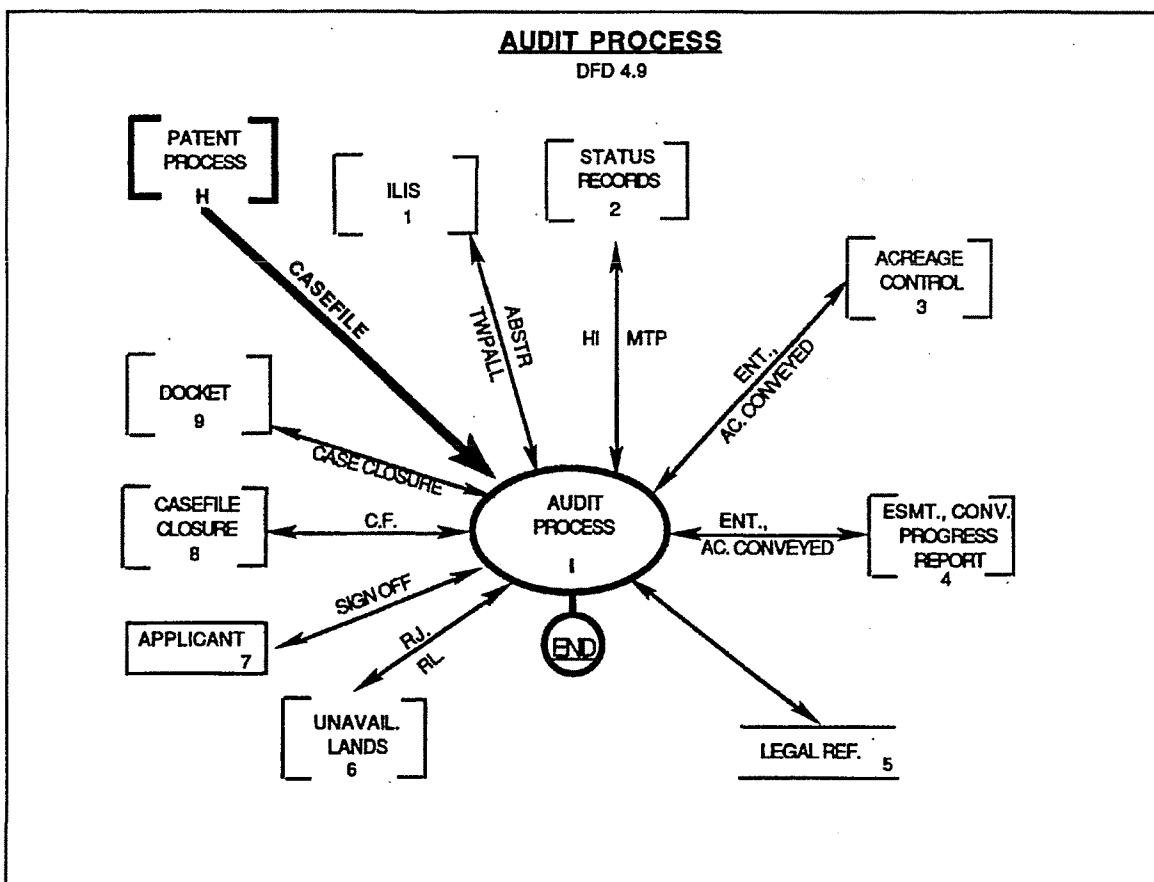
G Pre-Patent Process

The procedures to be followed in preparing to issue a patent for previously ICd lands are identical to the Section 12(c) process. See the Section 12(c) process for details.



H Patent Process

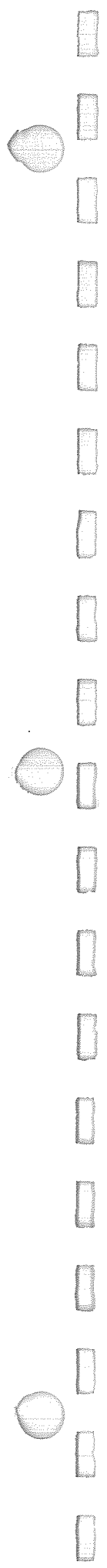
The procedures to be followed in completing the patent for Sec. 14(h)(8) applications is identical to the Sec. 12(c) process. See Regional Selections, Chapter II, H.



I Audit Process

The Audit Process for ANCSA Sec. 14(h)(8) selection applications is identical to the procedures used for auditing ANCSA Sec. 12(c) selection applications.

For details of this process, refer to Chapter II, Regional Selections, Audit Process I.



ANCSA HANDBOOK

CHAPTER 5

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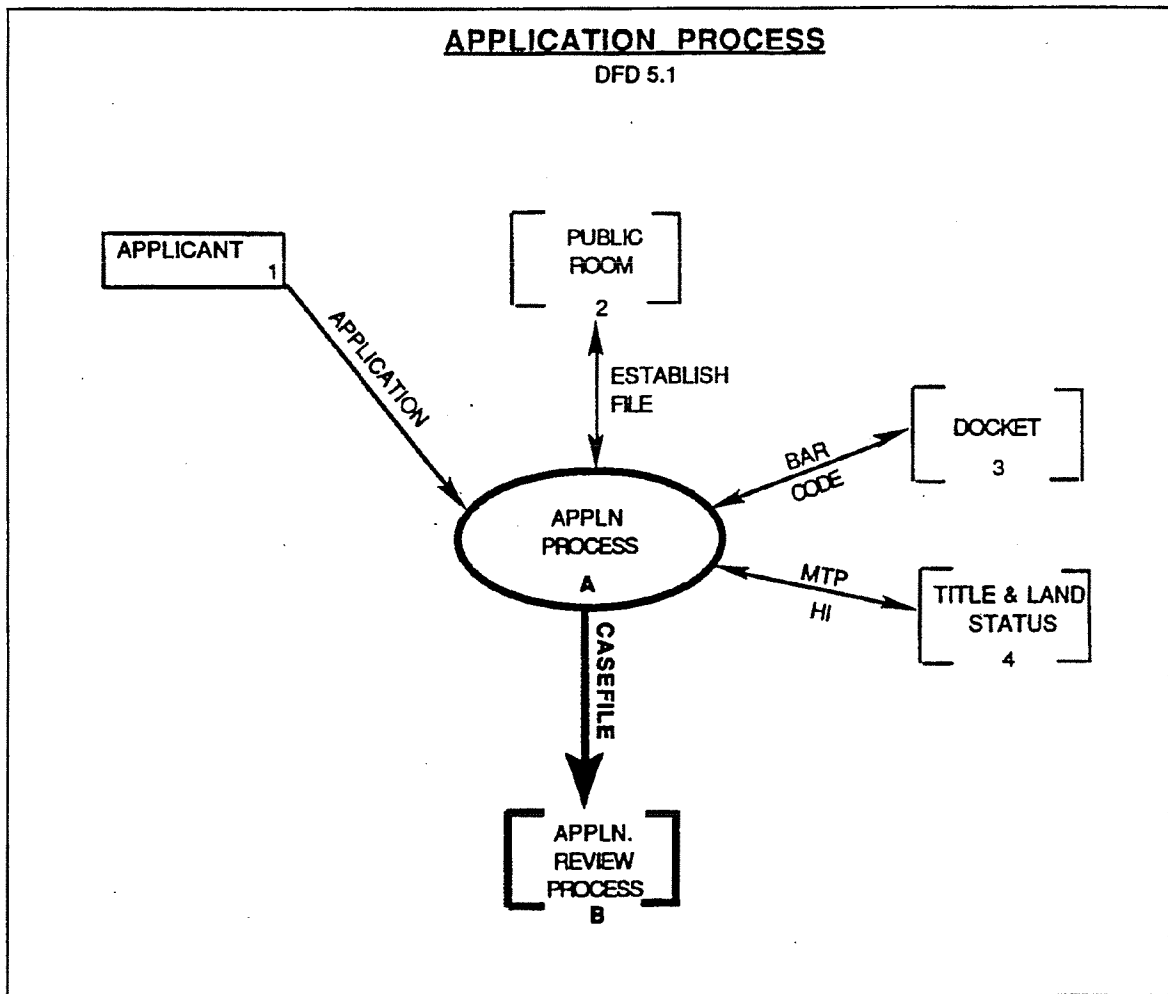


CHAPTER V**V REGIONAL SELECTIONS: (14(h)(1))****BACKGROUND INFORMATION**

The Alaska Native Claims Settlement Act (ANCSA) defined and directed the creation of regional corporations and prescribed the manner in which they were to select and receive land conveyances. The following summary applies to ANCSA Sec. 14(h)(1) regional corporation selections for cemetery and historical sites.

Section 14(h) of ANCSA authorizes the Secretary to withdraw and convey 2 million acres of unreserved and unappropriated public lands located outside the areas withdrawn by Secs. 11 and 16. Subsection 14(h)(1) authorizes the Secretary to withdraw and convey to the appropriate regional corporation fee title to existing cemetery sites and historical places. Subsection 14(h)(7) authorizes the Secretary to withdraw and convey lands out of the National Wildlife Refuge System and out of the National Forests for this purpose.

Regulations governing the selection and conveyance of lands to regional corporations are found in 43 CFR 2650, 2652 and 2653.



A Application Process

The application process begins when a regional corporation submits an application to BLM pursuant to Sec. 14(h)(1) of ANCSA for a cemetery or historical site and BLM establishes a case file and notes the land records.

1 Applicant

The applicant is a regional corporation defined in 43 CFR 2650.0-5(f) as a profit or nonprofit Alaska Native regional corporation eligible under 43 CFR 2652 and 2653 to select land and receive benefits under the Act, and is organized under the laws of the State of Alaska in accordance with the provisions of Section 7 of the Act.

a Application

A selection application is filed by the applicant on Form 2650-1 (Regional Selection Application).

b Application Requirements

The applicant must submit the following documents with its initial application. If any are missing, request the information from the corporation.

(1) Land Description

The application must include a written legal description of the selected lands and map depicting the selection. The regional corporation should identify accurately and with sufficient specificity the size and location of the site. This enables BLM to segregate the proper lands from other types of appropriation. If there is a discrepancy between the written description and the selection shown on the map, the map is controlling.

If the selected lands are surveyed, the legal description must conform to the official plat of survey.

If the selected lands are unsurveyed, the applicant must describe the lands by protraction diagram. A protraction diagram is prepared by BLM and is defined as the approved diagram of the BLM mathematical plan for extending township, range, and section lines. A protraction diagram does not constitute an official BLM survey. In the absence of an approved diagram, State of Alaska protraction diagrams which have been authenticated by BLM may be used.

Protraction diagrams plotted on published United States Geological Survey (USGS) topographic quadrangle (quad) maps at the 1:63,360 (inch to the mile) scale are preferred. For areas in which a 1:63,360 scale map has not been published, the applicant must use a protraction diagram plotted on a published 1:250,000 scale USGS quad map.

If the lands applied for are unsurveyed and are not covered by protraction diagrams or if the site is less than 2.50 acres, it shall be described by a metes and bounds land description, 43 CFR 2650.2(e)(3) and 2653.5(f).

(2) Attachment(s)

The regional corporation must include a statement describing the events that took place and the qualities of the site from which it derives its particular value and significance as a historical place. This is referred to as a statement of significance, 43 CFR 2653.5(f).

(3) Signing Authority

Each regional corporation must submit a copy of the resolution naming the individual(s) authorized to sign applications, amendments, etc., 43 CFR 2650.2.

c Amendments

The time frame for filing applications for new land has expired. Amendments can be made only to correct errors or for clarification purposes. All amendments must be signed by an authorized individual of record.

2 Public Room

The Public Room performs many duties, among them the initial processing of new applications. Once an application has been received, it is date-stamped and forwarded to the Public Room to be serialized, codified (casetype), and a case file established. The Public Room also enters the case data into the Interim Land Information System (ILIS).

Most land status and survey information needs can be found in the Public Room. The aperture card files contain microfilm copies of the most current master title plats (MTPs), historical indices (HIs) and survey plats. Other information, including Public Land Orders (PLOs), USGS quad maps, patents, deeds, interim conveyances (ICs), field survey notes, serial pages, easement quads, mineral surveys, etc., can also be found there.

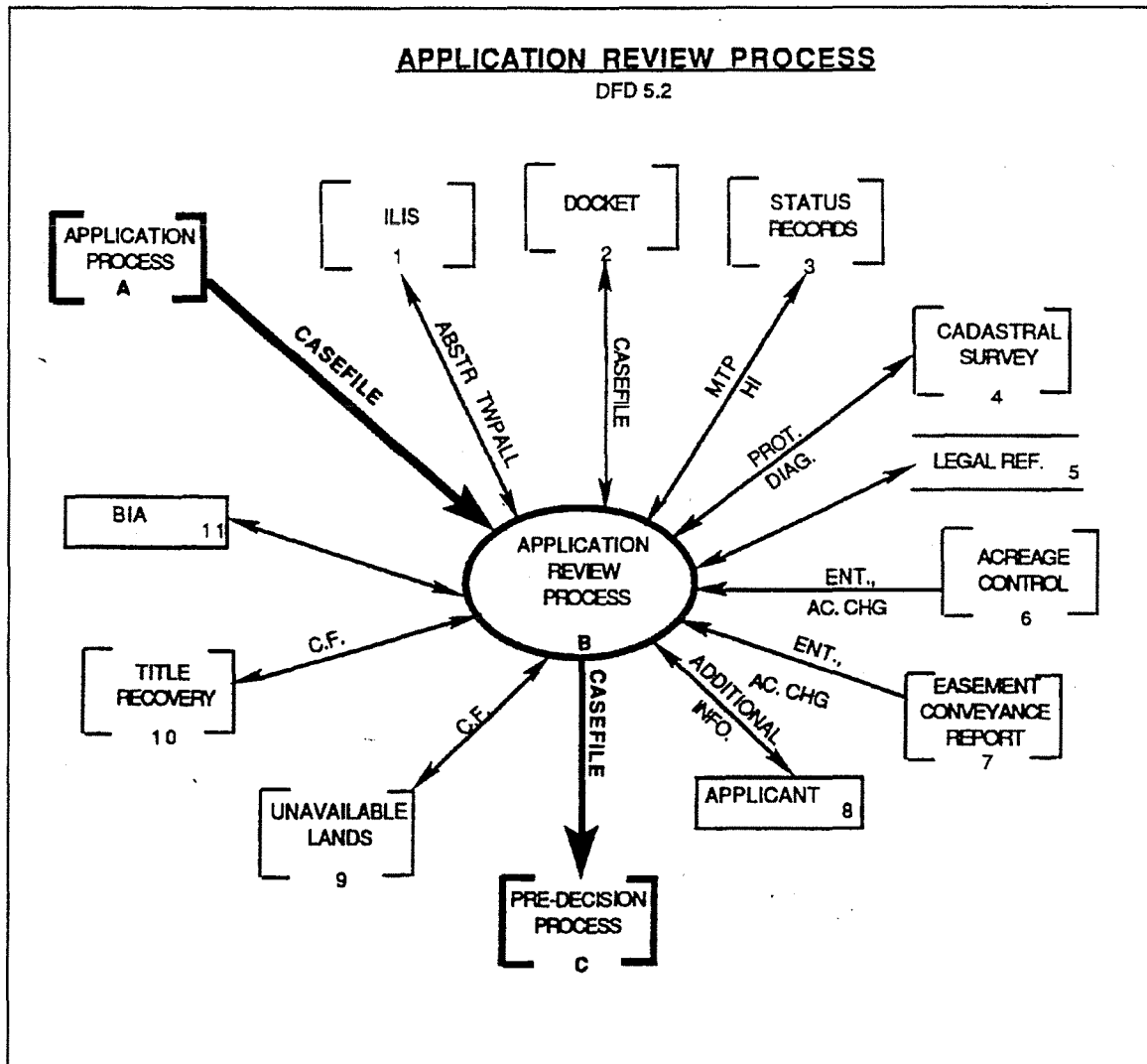
Each regional selection application filed pursuant to Sec. 14(h)(1) was assigned a serial number in the order it was received in the Public Room. The corresponding easement case file is assigned the same serial number as the application with the suffix "-1E". For example, case file F-21907 is a Sec. 14(h)(1) selection filed by Bering Straits Native Corporation. The corresponding easement case file is serialized as F-21907-1E.

3 Docket

After serialization, the Public Room sends the case file to Docket where it is bar-coded and logged into the case file tracking system. From this point on, Docket retains ultimate responsibility for the file. Anytime the file is sent to another BLM office or to the Public Room for public view, the file must be routed through Docket.

4 Title and Land Status (T&LS)

Title and Land Status is responsible for updating and maintaining BLM's MTPs, and HIs. Mylar originals of MTPs and HIs are filed in T&LS and updated whenever the status within a township changes. When requesting a plat notation from T&LS due to a change in, or correction of status, fill out a T&LS request form (AK 1275-20) and send to T&LS with the case file. Normally, it will take approximately 1 to 2 weeks for the changes to be made.



B Application Review Process

Since all regional Sec. 14(h)(1) selection applications are now of record, the adjudicative process is most likely to be initiated in response to the applicant's request for conveyance of additional lands or by BLM through the Patent Plan Process (PPP). In the initial process, the validity of the selection is reviewed based primarily on land status and the laws affecting such selections.

Do not begin writing the decision at this time. First, gather and analyze the facts related to the application. The following steps need to be taken:

1 ILIS

Retrieve the following documents from ILIS to begin the application review process:

Abstract - An abstract, or case file retrieval, provides data relative to any serialized case file and is based on information contained in the file. The information contained in an abstract includes the name and address of the applicant, a chronological history of actions affecting the application, and the application land description.

TWPALL - A TWPALL, or township data retrieval, shows any current and historical applications that affect land status within a specified township and range down to the section level. The TWPALL contains case file information that does not appear on the MTP (such as leases, permits, etc.).

To update a case abstract, refer to the allowable action code listing for the casetype. Submit corrections in accordance with Branch policy. It is suggested that the adjudicator make corrections directly on the abstract with red ink and submit to the Land Law Assistant (LLA) for coding. When completed, the LLA should return the marked-up original and the new corrected abstract to the adjudicator for review.

NOTE: It is the adjudicator's responsibility to ensure the accuracy of ILIS data.

2 Docket

Request the appropriate Sec. 14(h)(1) selection case file(s) from Docket using a casefile request form (AK 1274-20).

3 Status Records

With respect to any particular parcel of land, the Department defines land status as its legal description, its survey status, the non-Federal rights or privileges which attach to it or its resources, the withdrawals or special laws which apply to it, and other pertinent information which may influence the operation of the public land laws so far as its use or disposition is concerned. Much of this information can be found in the following records:

a Master Title Plat (MTP)

The MTP is a graphic record of current ownership and status of lands within the public domain. The Public Room maintains a current set of MTP aperture cards in a card file. The aperture cards are filed in range order, then in township order within the ranges. Supplemental plats are filed following the aperture card for the township they affect. To obtain a copy of a MTP and supplemental plats (if any), go to the Public Room and select the appropriate aperture card from the card file and complete a request for ordering paper copies or aperture cards.

Upon receipt of the plat, write the "current to" date in the lower right hand corner using

the date the plat was pulled. Review the plat(s) closely with the case file and verify that the regional selection has been correctly noted and whether there are withdrawals, conflicting applications, or other interests that will preclude conveyance. If not correctly noted, send to T&LS with corrections using Form AK 1275-20 for updating. Place the corrected MTP in the case file. It is also suggested that the folded plats be noted on the lower right hand corner with the "current to" date, township and range, and survey status.

b Historical Index (HI)

The HI is a narrative summary of, and an index to, actions which affect, have affected, or will affect the title to, disposition of, or land use status within an individual township. To obtain a copy of the HI, follow the same procedures as for requesting a MTP. Review the HI closely to ascertain that there are no withdrawals, conflicting applications, or other interests that will preclude conveyance. The HI contains essential information for the adjudicative process and is filed in the case file with the MTP.

c Miscellaneous Documents Index (MDI)

The MDI is a narrative summary of documents, consisting primarily of Public Land Orders (PLOs) and Executive Orders, affecting lands not specifically described, on which conditions restricting disposal or use may exist. The MDI should be reviewed prior to any adjudicative action; however, it is usually not necessary to file a copy in the case file.

d Survey Plat

If the land being reviewed is surveyed, obtain a copy of the survey plat and any U.S. Surveys or supplemental plats following the same procedures used for requesting a MTP. The survey plats are filed in the case file with the MTP(s) and will help in determining whether the selected lands can be Interim Conveyed (ICd) or can go directly to patent.

4 Cadastral Survey

If more than one parcel is being adjudicated, it is suggested that a group map be obtained and used to depict the overall status for the area. Outline the selections and any previous conveyances on the map. The map then becomes a part of the case file and may be used for future reference.

5 Legal References

The legal references pertaining to regional selections are found in ANCSA and its amendments, subsequent laws, regulations, and public land orders. Acts, agreements, or orders affecting a specific regional corporation are listed in Legal References, Appendix A.

As an application is reviewed, any special situations should be taken into consideration

when determining if the lands selected are available for conveyance under Sec. 14(h)(1) of ANCSA.

6 Acreage Control

Sec. 14(h) of ANCSA authorizes 2 million acres of land to be conveyed or charged under the following categories: (h)(1) cemetery sites and historical places; (h)(2) Native groups; (h)(3) Natives residing in Sitka, Kenai, Juneau and Kodiak; (h)(5) Native primary place of residence; (h)(6) Native allotment applications approved during the period of 1971-1975; and (h)(8) any portion of the 2 million acres not conveyed by any other subsections, to be allocated and conveyed to the regional corporations on the basis of enrollment.

The August 25, 1988 Memorandum of Agreement between the Alaska Federation of Natives, Inc., and BLM established guidelines for the regional corporations to use in relinquishing any portion of their allocation made under Secs. 14(h)(1), (2), and (5) and to allow these acreages to be reallocated under Sec. 14(h)(8), 43 CFR 2653.1(b).

To date, the following regional corporations have relinquished all or a portion of their allocation under Secs. 14(h)(1), (2), and (5):

Corporation	Acres
The Aleut Corporation	29,500.00
Bristol Bay Native Corporation	22,000.00
Chugach Alaska Corporation	10,794.34
Sealaska Corporation	66,377.66
NANA Regional Corporation	35,000.00
Arctic Slope Regional Corporation	35,157.00

It should be noted that there is only one combined total 14(h)(1), (2), and (5) acreage entitlement figure per region. The following table shows the current acreage allocations for Sec. 14(h)(1), (2), and (5) for each region:

Corporation	Acres allocated 14(h)(1), (2), (5)*
Ahtna	27,830.76
Aleut	4,228.62
ASRC	0.00
BBNC	17,348.60
BSNC	42,968.86
Calista	59,914.50
Chugach	19,675.00
CIRI	41,301.56
Doyon	49,006.96
Koniag	33,814.32
NANA	2,761.82

Sealaska	2,320.00
TOTAL	301,171.00

*The actual acreage conveyed may be different from the allocation because of special legislation, etc. Published in the Federal Register on July 6, 1989, 54 Fed. Reg. 28510 (1989).

7 Easement Conveyance Progress Report (ECPR)

The ECPR is a computer printout used for tracking and monitoring ANCSA conveyances. The report contains information used for acreage control and it is also used as a source of general information for the public, the State and other Federal agencies regarding the status of ANCSA conveyances. Each Branch in the Division of Conveyance Management has a copy of this report. Upon conversion to ILIS the report will no longer be updated.

8 Applicant

After completing steps 1-7 above, review the application for filing requirements, eligibility requirements, selection limitations and, if appropriate, any requests for a waiver of the regulations. BLM's responsibility regarding Sec. 14(h)(1) applications prior to BIA certification of eligibility/ineligibility is limited to the following review:

a Filing Requirements

(1) Corporate Status

Pursuant to Sec. 7 of ANCSA, the corporation must be organized in compliance with the laws of the State of Alaska prior to receiving any land conveyances.

Review the application and verify that it contains the applicant's articles of incorporation, the certificate of incorporation issued by the State and the corporate resolution designating signing authority. The resolution will probably not be found in the Sec. 14(h)(1) file but the application should refer to where the resolution can be found. If any of these documents are missing, request them from the applicant.

NOTE: If an amended application is filed, verify that the corporation has not been dissolved and that the individual signing the amendment is authorized to sign documents on behalf of the corporation.

Background

Alaska corporations must pay State taxes and submit financial statements every 2 years. If the date of incorporation was in an even year, they are due on even years, etc. Although taxes are due by January 2, the corporations have until February 2 to pay and are allowed an 8-month grace period.

At the end of the grace period, the State will notify the corporation that it is in non-compliance and will be involuntarily dissolved at the end of 60 days. If no action is taken by the corporation, a Certificate of Dissolution is issued at the end of the 60 days.

The corporation then has two years during which it can be reinstated. If the corporation remains in non-compliance after the 2-year period, it must re-incorporate. Once a corporation has met all requirements, it will be issued a Certificate of Good Standing from the State.

To order a certificate, prepare an Advertising/Requisition Order form (AK 1510-9). The cost of a certificate is \$10.00. Send the completed form to the Procurement Section (953B) at the Anchorage District Office (telephone 267-1329). BLM has a blanket purchase agreement with the State and will be billed accordingly.

After obtaining a requisition number, call the State of Alaska, Department of Commerce and Economic Development, Division of Banking, Securities and Corporations at 563-2161 and request a certificate (hard copy) for the corporation. Be prepared to provide them with the requisition order number; or

If ordering a certificate by mail, prepare a Request for Good Standing Certificate form (AK 2650-13). Be sure to include a copy of the completed and signed requisition order before mailing to Juneau.

NOTE: Because there are other reasons for the dissolution of a corporation which may occur at any time, it will be necessary to verify corporate status periodically throughout the conveyance process.

(2) Legal Descriptions and Map(s)

The application should describe with specificity the location and size of the site. The lands are described in accordance with 42 CFR 2650.2(e) except that an application for less than 2.5 acres may be described by metes and bounds. The written description and accompanying map should agree. If they do not agree, the map is controlling. In this case, it is necessary (by policy) to request clarification as to the description intended by the corporation. The application should contain a statement of significance for the site, 43 CFR 2653.5(f). BLM will not adjudicate the facts in the statement, but merely examine the application to verify the presence of this statement.

(3) Timely Filed

The regulations at 43 CFR 2653.4(b), effective July 2, 1973, established December 18, 1975, as the deadline for filing Sec. 14(h)(1) applications; however, the deadline was extended to December 31, 1976, by amendment to the regulations. Additionally, the selection deadline is regulatory and may be waived by the Secretary.

b Selection Limitations

In general, lands withdrawn and conveyed pursuant to Sec. 14(h) must have been

unreserved and unappropriated at the time of selection with exceptions outlined in the following subparagraphs.

(1) Lands Withdrawn by Secs. 11 and 16

The regulations at 2653.3(a) provide that lands formerly withdrawn by Secs. 11(a)(1) and (3) and Sec. 16 and not selected pursuant to Secs. 12, 16, or 19 prior to December 18, 1975, are available for conveyance pursuant to Sec. 14(h). This would imply that lands selected under Secs. 12, 16, or 19 at the time a 14(h) selection was filed are not available and the 14(h) selection should be rejected. However, while IBLA found it appropriate to reject a conflicting Sec. 14(h) selection where the Secs. 12, 16, or 19 selections are pending, it is not appropriate if the Sec. 14(h)(1) application is adjudicated after the conflicting selection has been relinquished. See Cook Inlet Region, Inc., 77 IBLA 383 (1983).

(2) Lands Withdrawn Pursuant to Sec. 17(d)(1)

The regulations at 2653.3(c) provide that lands withdrawn pursuant to Sec. 17(d)(1) which were not included in the Secretary's 1973 recommendation to Congress are available for conveyance under Sec. 14(h). Conversely, it has been determined that lands withdrawn by Sec. 17(d)(1) which were recommended to Congress and included in a Conservation System Unit are not available. Sec. 14(h) applications filed on those lands will be rejected. MTPs for the affected townships may include a notation in the remarks column as to whether or not lands were recommended to Congress. However, this cannot be depended upon as being complete. The March 1974 Alaska Land Status map is the best reference.

(3) Lands Withdrawn Pursuant to Sec. 17(d)(2)

Lands withdrawn pursuant to Sec. 17(d)(2) are, as a rule, not available for conveyance under Sec. 14(h), Bering Straits Native Corporation, 87 IBLA 96 (1985). There is, however, a limited category potentially available which includes lands formerly withdrawn under Sec. 17(d)(2) not recommended to Congress which are also within a former Sec. 11 withdrawal and not selected pursuant to Secs. 12 or 19 (see Solicitor's opinion dated February 19, 1986).

(4) Selections Within the Refuges

Sec. 14(h) of ANCSA allowed conveyance of the subsurface of Sec. 14(h)(1), (2), (3), and (5) selections to the regional corporations except for Sec. 14(h)(3) selections within the refuges. Sec. 1406 of ANILCA amended ANCSA and further restricted conveyances within the refuges, as they existed on December 18, 1971, to conveyance of the surface estate only as to Sec. 14(h)(2) and (5) selections and Sec. 14(h)(1) selections over 640 acres.

In conjunction with restrictions imposed, Sec. 14(h)(9) was added by Sec. 1406(d) of ANILCA to allow for the withdrawal and selection of in-lieu subsurface estate where the region is precluded from receiving the subsurface of Sec. 14(h) selections. However,

Sec. 1406(e) provided for a 180-day period for regional corporations to assert a claim to the subsurface estate of Sec. 14(h) selections within a refuge (other than the 640 acre exception for Sec. 14(h)(1)). The subsurface of any selection for which a claim was asserted may be conveyed to the regional corporation. If the corporation failed to assert such a claim within 180 days, they waived any right to the subsurface of those selections, but are entitled to in-lieu subsurface pursuant to Sec. 14(h)(9).

c Priority List(s)

There are no entitlements established for Sec. 14(h)(1) in ANCSA. However, in order for the regional corporations to remain within their allocations established by the decision of July 6, 1989, for Sec. 14(h)(1), (2), and (5) selections, it may be necessary for some regions to prioritize their Sec. 14(h)(1) selections. See B-5 Acreage Control.

9 Unavailable Lands

Applications for Sec. 14(h)(1) cemetery sites and historical places in the following categories were not transmitted to BIA and must be rejected:

Within former 17(d)(2) lands which are within an ANILCA-created National Park System, National Wildlife Refuge System, Wild and Scenic River System, National Conservation Area, or National Forest System;

Within a 17(d)(1) withdrawal which was recommended to Congress in 1973;

Within a Power Project or withdrawals existing on December 18, 1971, excepting refuge or forest lands;

On lands clearly unavailable for conveyance, such as patented or reserved lands or lands validly selected by the State of Alaska prior to the Sec. 14(h)(1) application.

10 Title Recovery

If it is determined that lands have been erroneously conveyed to another entity, such as the State, it may be necessary to pursue title recovery. Refer to the Title Recovery Handbook for further information.

11 Bureau of Indian Affairs (BIA)

All Sec. 14(h)(1) applications should be reviewed with regard to land availability. All applications in the following categories should be forwarded to BIA for field investigation.

Within a Native corporation selection. Although these applications are forwarded to BIA, by agreement between BLM and BIA, a full field investigation or field report is not necessary for Sec. 14(h)(1) selections dually selected under Secs. 12, 16, or 19. The initial report will be limited to confirmation of location and

sketch map;

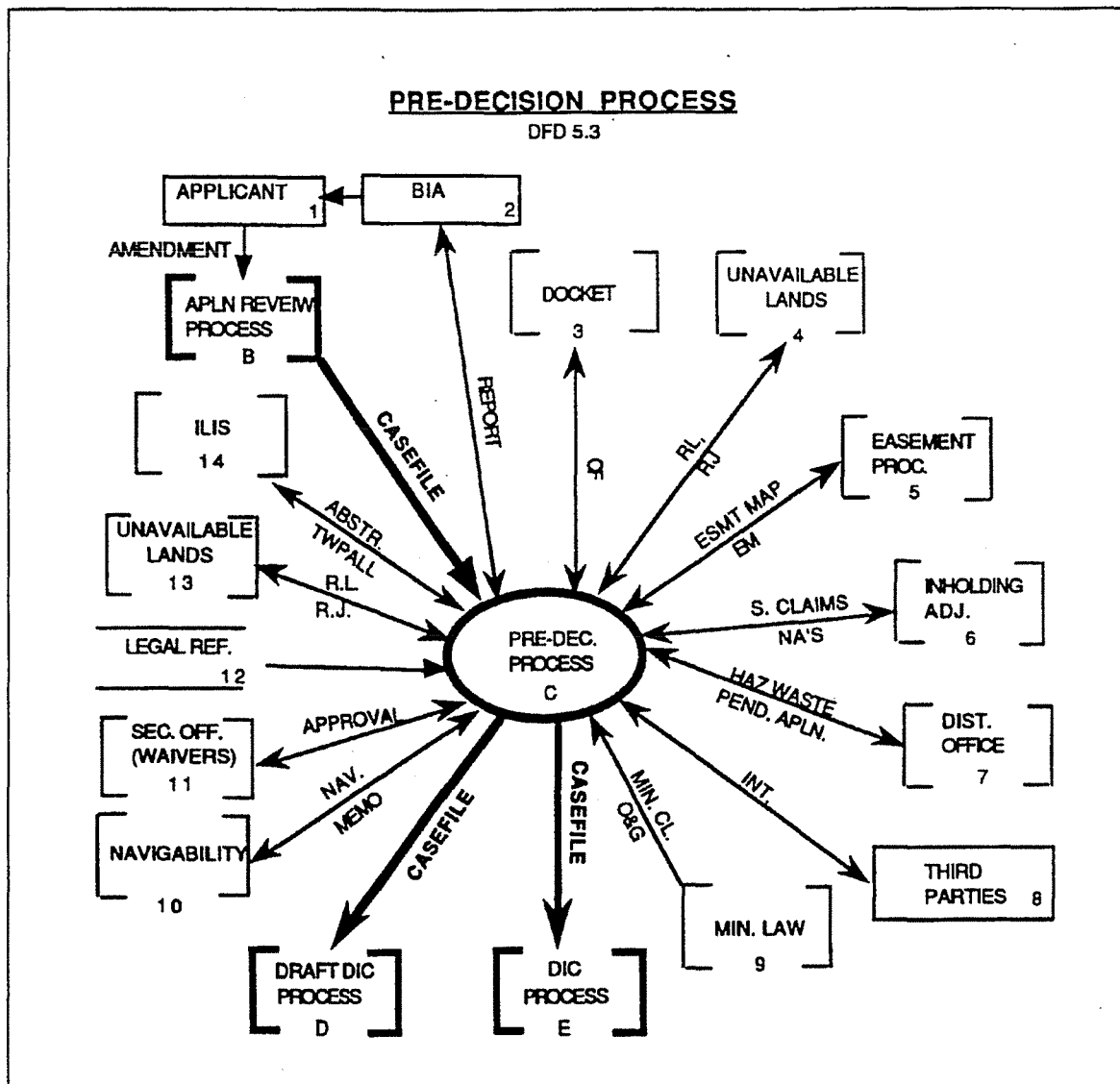
Within a State selection if the Sec. 14(h)(1) application predates the State selection;

Within Sec. 17(d)(1) lands which were not recommended to Congress in 1973;

On lands which are also covered by a Native allotment application or other settlement claim or application;

On Sec. 17(d)(2) lands which are under review for inclusion in the Wild and Scenic River System when, because of the size and/or location of the Sec. 14(h)(1) site, part of the application may be approved once the river review is complete and the site is not within the designated area;

Other applications for which status is uncertain.



C Pre-Decision Process

If it is determined that there are lands available for conveyance to the regional corporation after completing the Application Review Process and a BIA report has been received, proceed with adjudication. Do not write the decision now. It may be necessary to request additional information from other entities for use in preparing the decision. Request the following information as appropriate:

1 Applicant

a Corrections Based on BIA Field Examination

If, during field examination, BIA finds that the location of the site as described in the application (including the statement of significance) is incorrect, BIA will notify the applicant, BLM, and other affected Federal agencies (i.e., Fish and Wildlife Service

and/or Forest Service) of the proper land description and acreage that is under consideration. The applicant has 60 days to file a corrected/amended application with BLM, 43 CFR 2653.5(i). Upon acceptance of the new description, BLM will note the records (MTP and ILIS) and send copies of the amendment to BIA, affected Federal agencies, and the State of Alaska where a State selection may be affected. This correction/amendment may be for an area smaller or larger in size and in a different location than that originally described. Under these circumstances the change will not be considered a request for waiver of the regulatory filing period requirement but will serve to correct the erroneous original land description.

A correction/amendment is defined as a change in the application due to an erroneous land description which can be due to an inadequate area being originally identified to encompass the specific site as described in the statement of significance (e.g., a site originally describing a specific historic village identified in the NW4NW4 of Sec. 10 is discovered to be located in the NW4NW4 of Sec. 9 between 1900-1920 and in the SW4SW4 of Sec. 9 between 1800-1900. Therefore, both locations describe the historic village that was identified before December 31, 1976, provided the statement of significance did not describe the village as located at a specific time).

b Waiver Request Based on BIA Field Examination

If, during field examination, BIA finds additional historical or archeological resources not included in the application (including the statement of significance) which are outside the boundaries of the originally described site, BIA may decide to include this area in the report on eligibility. The report will specifically identify the additional area and provide information on the additional cemetery or historically significant properties. This information along with the legal description of the new site will be addressed separately within the original site report. The regional corporation is not required to select this additional land. However, if the additional area is applied for by the corporation as a new application or amendment to an existing application, it will be processed by BLM as a request for waiver of the filing deadline.

c Waiver Request Based on Regional Corporation's Submission

All changes to existing applications submitted to BLM by the regional corporation (not recommended by BIA) describing new lands and/or a new statement of significance will be treated as requests for a waiver of the regulatory filing deadline. The new land description will be noted to BLM's records (MTP and ILIS). If the lands are available pursuant to 43 CFR 2653.3, a copy of the new land description and/or statement of significance will be sent to BIA, any affected Federal agencies, and the State of Alaska if a State selection is affected.

BIA will report on the new lands according to existing procedures. The BIA report will also recommend whether the new lands could be considered as a correction of the original application (thereby negating the need to process the application as a request for waiver of the filing deadline) or a new application that must be adjudicated by BLM as a request for waiver of the filing deadline.

A new application or amendment requiring a waiver is defined as a new land description or statement of significance which identifies lands that contain significant historic or archeological resources which meet the requirements of Sec. 14(h)(1) of ANCSA but are not directly related to the significant event that took place or the quality which gave a previously selected site its particular value as a historical place (e.g., a village site for a known historical village had been applied for prior to December 31, 1976; after December 31, 1976, a trading post located near the historic village is identified as being related to the village. The trading post may meet the requirements of ANCSA but is considered as a request for waiver/amendment due to the fact that the new land and/or statement of significance was not a part of the original application and is not construed to have been intended to be a part of the original application).

2 Bureau of Indian Affairs

BIA will submit its report, certification, and written comments from the U.S. Fish and Wildlife Service or the Forest Service to BLM, if appropriate. If the land is available and there are no adverse reports, BLM will proceed toward the issuance of a decision to convey based upon the BIA report.

However, where the Fish and Wildlife Service, or the U.S. Forest Service do not agree because of the effect on a fish or wildlife population, its habitat or the management of such population or its habitat, BLM must submit the record and a land status report to the Secretary who will make the decision whether to convey the land to the applicant.

BLM does not have the authority to issue a decision which may be contrary to the position of the U.S. Fish and Wildlife Service or the U.S. Forest Service on lands within a wildlife refuge or National Forest as they existed at the time of ANCSA.

3 Docket

Like other land records, Sec. 14(h)(1) cemetery/historical sites are a matter of public record. However, because Sec. 14(h)(1) casetypes involve cemetery and archaeologically sensitive sites, certain information must be withheld from public view where there is a possibility of vandalism or loss to the site. Therefore, once BIA has submitted the required field report to BLM, docket will create a separate case file. The file is serialized with the same number as the original file and becomes "part 2". The BIA report is usually accompanied by a photo copy of the original. **It is important that both copies of the BIA report are placed in the confidential (Part 2) file along with any other sensitive information that should be restricted from public access. The only portion of the report to be placed in the main file (Part 1) is the BIA cover letter, the certification and the land description.** A blue "Case Records Advise" routing form marked "confidential" is attached to Part 2 and remains with Part 1 unless the file is called for public view, at which time Part 2 is retained in Docket.

4 Unavailable Lands

The lands are unavailable if the BIA report states that:

The lands are ineligible because the application is for more acreage than is necessary for the site;

There are no cultural values on the land; or

Any of the reasons noted in the Application Review Process B-8.

If, during the field examination, BIA determines the site application is ineligible, it is subject to rejection. A Sec. 14(h)(1) application determined by BIA to be ineligible cannot be approved and the application is subject to rejection by decision at this time. The preferred method is to obtain a relinquishment from the corporation rather than issuing a rejection decision, if possible.

A letter is usually written to the applicant requesting a relinquishment. Refer to Branch policy as to whether a relinquishment request or a rejection decision is preferred.

If a relinquishment is submitted, acknowledge receipt and confirm whether or not it is proper. If the site is within an area administered by another agency, notify the land management agency of possible cultural resources located on lands within their jurisdiction using Glossary 554a.

For clarification purposes, a relinquishment takes effect immediately upon filing, 18 LD 589, with the exception of conditional relinquishments. A determination must be made on the propriety of a conditional relinquishment. Normally, conditional relinquishments will not be accepted. An unconditional relinquishment takes effect the moment it is filed in the proper office and its effectiveness is not contingent upon official BLM notice of its receipt or acceptance. The land, however, will not be subject to further appropriation until the relinquishment has been noted to the land status records, 43 CFR 1825.1(b).

5 Easement Process

Section 17(b) of ANCSA and 43 CFR 2650.4-7 authorize the identification and reservation of public easements across regional-selected lands which are reasonably necessary to guarantee access to publicly owned lands or major waterways; guarantee international treaty obligations; or provide access to present existing Federal, State, or municipal corporation sites.

a Easement Maps

Title and Land Status (T&LS) is responsible for preparing and noting easement maps which will be included in the decision package. An easement map consists of a base map (USGS 1:63,360 quad) and separate overlays depicting the regional selection and any easements to be reserved. The mylar originals and the regional selection and easement overlays are kept on file in T&LS.

Easements reserved to the U.S. pursuant to Sec. 17(b) of ANCSA are plotted on the easement map using a unique identification code. Easements are indicated by a circle containing an easement number (usually on top) and a "sponsor code" which indicates

the group or agency requesting the easement.

Example of Easement Identification Number (EIN):

Easement No.	1
Sponsor Code	D1,D9

See Illustration 1 (Easement and Navigability Legend) for a list of easement notation symbols and sponsor codes.

b Easement Identification

(1) Pre-Easement Request Procedures

Request the regional easement case file from Docket using a case file request form (AK 1274-20). The easement file will have the same serial number as the selection file plus the suffix "-1E" (e.g., if the cemetery or historic site selection file is AA-11096, the corresponding easement file is serialized as AA-11096-1E).

Request blackline work copies of the easement map for the regional selection area from T&LS using an ANCSA reproduction request form (AK 1500-8). When ordering easement maps, specify the quad map by name and number (e.g., Selawick B-3). To determine which quad maps to order, refer to Appendix C (Easement Map Index) for additional detailed information.

Using the application documents in the selection case file, verify that the selection is correctly noted to the easement map. Although the selection is commonly less than an entire section, the easement map may show the entire section as selected.

If the selection is incorrectly depicted on the easement map, submit form AK 1500-8 and a paper copy of the easement map showing the corrections to T&LS for revision.

If easement maps have never been prepared for the selection, submit form AK 1500-8 and a paper copy of the quad map or protraction diagram showing the selection area to T&LS requesting them to create an easement quad and note the selection on the easement map. T&LS will forward the mylar and overlay(s) to the print shop for reproduction. The print shop will deliver the finished copies to the adjudicator.

Approximate timeframe: 2 weeks.

(2) Easement Request

The first step in the easement process is to identify the lands that BIA has determined eligible and request the DO to review them and identify any easements to be reserved to the U.S. in an easement memorandum (EM). No lands may be approved for conveyance which have not been included in an EM. To do so would deprive interested parties of the opportunity for input in the easement process.

Review the easement/regional selection files to determine if the lands have ever been included in an EM. If the selected lands have never been included in an EM, prepare a **Request for Easement Recommendations**. If the lands have been previously included in an EM which is more than one year old, prepare a **Request for Easement Review**.

Requests submitted to the DO for easement work must include a complete and accurate description of the lands to be conveyed and easement maps depicting the correct regional selection pattern.

(3) District Response

Request for Easement Recommendations. The DO will review the lands and identify easements to be reserved. All affected parties (Native, State, Federal or other individuals) will be provided the opportunity to review the proposed easement recommendations and, where possible, resolve any conflicts prior to issuing the EM.

Request for Easement Review. The DO will review the easements previously identified in the old EM and determine if any changes are necessary. Any changes will be coordinated with the affected parties prior to issuing the EM.

In both cases, T&LS will note the easements to be reserved on the easement map overlays and the DO will issue the original EM to the appropriate Conveyances Branch Chief with a set of updated easements maps. Any easements identified in the EM will be inserted verbatim in the decision.

Approximate timeframe for the entire easement process: 9 to 12 months.

6 Inholding Adjudication

Inholdings are conflicting claims within the exterior boundary of the regional selection (e.g., Native allotments, settlement claims, etc.). Inholdings generally require special survey (as opposed to rectangular net survey). Identify all pending inholdings using the status records and ILIS information and order the case files from Docket using form AK 1274-20.

It is necessary to first adjudicate all pending applications, such as Native allotments prior to conveying land to the region. To do this, obtain the inholding case files from Docket and adjudicate the claims to determine validity. For example, process Native Allotment claims to the point of Request for Survey, or at least to the stage of Final Date to Amend (see the Native Allotment Handbook or the Settlement Claims Handbook for the steps needed to complete the adjudication of these inholdings).

7 District Office

a Pending Use Applications

Applications for the temporary or limited right to use the land are referred to as use applications (e.g., leases, contracts, permits, rights-of-way, or easements). All

pending use applications on selected lands must be adjudicated and a decision issued granting or denying the application before conveying the lands to the corporation, Nelbro Packing Co., 63 IBLA 176 (1982).

Check the status records and TWPALL to identify any pending use applications. By memorandum or short note transmittal, request the DO to adjudicate any pending use applications. Identify a target date for issuing the DIC and request notification when adjudication is complete.

Approximate timeframe: 1 to 12 months.

b Hazardous Materials Review

RESERVED

8 Third Party Interests

Third party interests are any interests created and/or administered by any Federal agency (other than BLM) on regional selected lands.

Prior to the passage of ANCSA, Federal agencies were granted the authority to create and administer interests on lands withdrawn for their use. Sec. 22(i) of ANCSA limited the authority to administer lands withdrawn for Native selection to the Secretary of Agriculture or the Secretary of the Interior. Therefore, as of December 18, 1971, administration of federal lands withdrawn by ANCSA for Native selection and the authority to issue leases, permits, rights-of-way, etc., on such lands is limited to:

Forest Service
BLM
Fish and Wildlife Service
National Park Service
Bureau of Indian Affairs

9 Mineral Law

Mining claim recordations and applications filed pursuant to the mineral leasing laws are not noted on the status plats. Review the ILIS records to determine if there are active mining claims, pending oil and gas lease offers, or granted oil and gas leases within the conveyance area. The information can be retrieved on-line using the following commands:

TWPALL; or
MSK011 and MSK021

If any such applications affect the conveyance area, request the Branch of Mineral Law (982) to review the cases and take appropriate action using the Request for Minerals Adjudication Review form, Illustration 2. Attach a copy of the appropriate computer printout with the request.

10 Navigability Section

The Submerged Lands Act of May 22, 1953, P. L. 31, 43 U.S.C 1391, provided that title to the land beneath navigable water bodies in Alaska would pass to the State at the time of statehood unless reserved to the U.S. The Navigability Section (924) reviews water bodies and makes navigability recommendations. Lakes less than 50 acres in size and rivers less than 3 chains wide which are determined navigable are identified in a navigability report. The State-owned submerged lands can then be excluded from conveyance and not charged against the Native corporations' acreage entitlement.

In February of 1987, the standards used by BLM to determine navigability were redefined as a result of an appeal concerning navigability of the Gulkana River. The District Court determined that streams and rivers suitable for watercraft carrying a commercial quantity of goods (about a thousand pounds or more of cargo) are potentially navigable, Alaska v. United States et al., No. A80-359 Civil (D. Alaska 1987). The so-called "Gulkana Standard" was subsequently upheld by the Ninth Circuit Court of Appeals in December of 1989, State of Alaska v. Ahtna, Inc., 891 F.2d 1401 (9th Cir. 1989).

If the selected lands are being approved for interim conveyance (IC) in the decision, a navigability determination is not required.

If the selected lands are being approved for patent in the decision, review the easement and village files to see if a navigability determination has been prepared for the selection area. If there is no determination in the file or the determination was issued prior to February of 1987, request a navigability determination from the Navigability Section using Glossary 227a.

NOTE: In order to conform pre-Gulkana navigability determinations to the new criteria on ICd lands, BLM agreed to review navigability determinations issued prior to February of 1987 and adjust the IC acreage at the request of the Native corporations. The property owner must agree to a re-determination before any changes can be made. The procedures for requesting re-determinations are contained in the Pre-Patent Process.

11 Secretary of the Interior

The Secretary is authorized to waive any nonstatutory requirement of the regulations to correct minor technical and procedural errors, 43 CFR 2650.0-8. Examine the request for a waiver to determine if granting it would impair the rights of third parties, impair the land management principles of the remaining public lands or leave unduly fragmented parcels of public land.

Waiver Recommended

If the request meets the requirements for a waiver, prepare an approval package from the State Director (SD) to the Washington Office. The package must include:

A copy of the initial request;

A transmittal memo to the Director, BLM from the SD;

A memorandum from the Director, BLM to the Assistant Secretary, Land and Minerals Management, outlining the details of the request;

A summary page;

Any other pertinent information necessary to support approval of the request;

* A proposed "Waiver of the Regulations" for publication in the Federal Register.

If granting the waiver would result in the need to withdraw lands by PLO, close coordination with the Withdrawal Staff in the Branch of Land Resources (932) will be necessary.

Waiver Not Recommended

If the request does not meet the requirements or the regulation is statutory in nature, contact the corporation and give it the opportunity to state its position or provide additional information. If, based on that contact our position remains the same, prepare a letter for the SD's signature to the corporation denying the request and including the reasons for denial.

12 Legal References

The legal references pertaining to regional selections are found in the Alaska Native Claims Settlement Act and its amendments, subsequent laws, the U.S. Code of Federal Regulations, and various public land orders. Specific acts, agreements, or orders affecting a regional corporation are listed in Appendix A.

In the Pre-Decision Process, any regional-specific legal references must be considered to determine the correct requirements for processing an application and to determine what information must be requested from other offices or agencies.

13 Unavailable Lands

If it is determined during the Pre-Decision Process that all of the subject lands are invalidly selected and unavailable for conveyance, the application is subject to rejection. In accordance with Branch policy, either request the regional corporation to relinquish the unavailable lands or prepare a decision rejecting the selection application. Relinquishments submitted to BLM must be signed by an authorized individual of record. Upon submission, acknowledge receipt and confirm whether or not the relinquishment is effective.

A valid relinquishment takes effect the moment it is filed in the proper office and its effectiveness is not contingent upon official BLM notice of its receipt or acceptance. The land, however, will not be subject to further appropriation until the relinquishment has

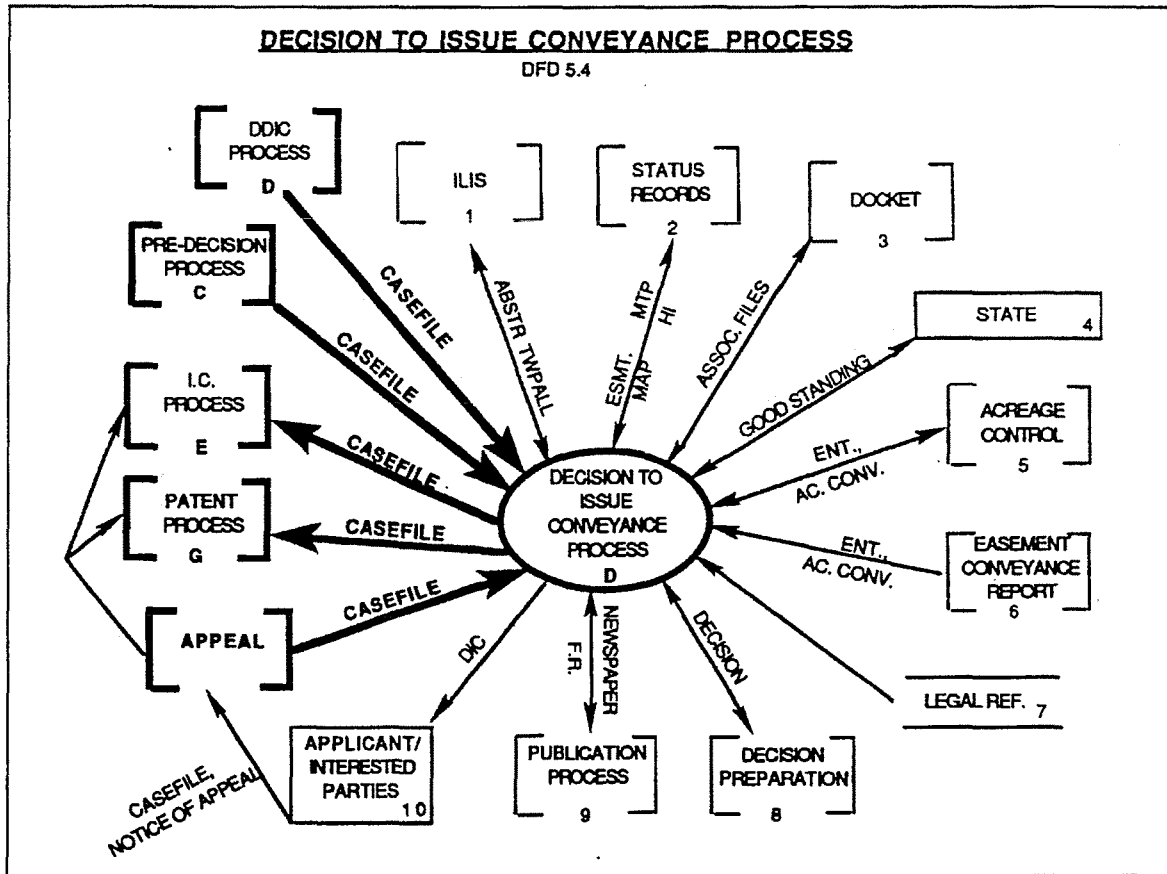
been noted to the land status records, 43 CFR 1825.1(b) and 18 LD 589. Conditional relinquishments are generally not accepted unless it is determined that the condition has been met or will occur automatically based on law.

14 ILIS

It may not be necessary to retrieve additional information in the Pre-Decision Process if the data obtained during the Application Review Process is current. It is important, however, to update the computer to correct any errors detected or to add the codes for any actions taken in the Pre-Decision Process.

To update the abstract refer to the allowable action code listing for the casetype. Submit corrections in accordance with Branch policy. It is suggested that the adjudicator make corrections directly on the abstract with red ink and submit to the Land Law Assistant (LLA) for coding. When completed, the LLA should return the marked-up copy and the new abstract to the adjudicator for review.

NOTE: It is the adjudicator's responsibility to ensure the accuracy of ILIS data.



D Decision to Issue Conveyance (DIC) Process

During this process, the decision is written using the information that was collected during the Pre-Decision Process. Use Glossary 203a as reference for preparing the document. A draft decision is not issued for Sec. 14(h)(1) applications.

1 ILIS

Retrieve a current TWPALL and abstracts for the selection file and any associated case files. In the DIC Process it will be necessary to add the codes for any actions taken.

To update a case abstract, refer to the allowable action code listing for the casetype. Submit corrections in accordance with Branch policy. It is suggested that the adjudicator make corrections directly on the abstract with red ink and submit to the Land Law Assistant) LLA for coding. When completed, the LLA should return the marked-up original and the new corrected abstract to the adjudicator for review.

NOTE: It is the adjudicator's responsibility to ensure the accuracy of ILIS data.

2 Status Records

a Master Title Plat (MTP)

Obtain a current MTP from the Public Room and prepare a color-coded work plat for the subject lands. The work plat should show any actions, conflicting claims, inholdings, PLOs, third-party interests, etc., that may affect the selection. The work plat should also include a legend explaining what each color represents. For consistency, it is suggested that the following color code be used to depict status on the work plat:

Village-green: Selection (outline), IC (diagonal slash), Patent (solid);

Region-red: Selection (outline), IC (diagonal slash), Patent (solid);

State-yellow: Selection (outline), TA (diagonal slash), Patent (solid);

Other patented lands: Purple;

Native allotments: Brown (outline);

Withdrawals (PLOs): Orange (highlight);

Navigable/meanderable waters: Blue (solid);

Other colors can be used to depict mining claims, leases, homesteads, rights-of-way, etc., as necessary. Include them in the color legend.

In addition to color coding, it is advisable to document the facts related to any conflicting applications. Include any written explanations necessary to describe what has occurred by adding them directly onto the work plat to aid in preparing the decision (e.g., has the regional selection been previously rejected as to any portions of conflicting Native allotments within the selection area).

b Historical Index (HI)

Review the HI in the Public Room and verify it against the case file copy. If anything has changed, replace the existing copy with a new HI.

3 Docket

Review the MTPs and TWPALL for the selection area and order the case files for any conflicting claims from Docket using form AK-1274-20. It is suggested that the adjudicator keep a rolodex as a back-up to the Docket tracking system. Keep the case files in an accessible location in the event Docket personnel need to retrieve them for public view, etc.

Review all associated case files and record any information related to the regional selection area on the work plat.

4 State

Prior to issuing the document to the corporation, determine corporate status by calling the State of Alaska, Department of Commerce and Economic Development,

Division of Banking, Securities and Corporations at 563-2161. Identify the corporation by name and request its status (the information will be provided over the phone). Document the telephone call and status information in the case file and proceed as follows:

If the corporation is in good standing, continue with this process;

If the corporation is in non-compliance, continue the process but call the corporation and put it on notice that a conveyance cannot be issued to a dissolved corporation;

If the corporation has been dissolved, stop the process and order a copy of the of the Certificate of Dissolution for inclusion in the file. Notify the corporation and request that it take the necessary action to be reinstated. Inform them that a conveyance cannot be issued to a non-existent corporation and that no conveyances will be issued until the corporation has notified BLM that it is once again in good standing.

NOTE: For detailed information on corporate qualification requirements, see the Application Review Process B-8.

5 Acreage Control

All land conveyances made to the corporations must be closely monitored to assure that legislative entitlements are met but not exceeded. It is the individual responsibility of each adjudicator to monitor conveyance acreage to prevent conveyances in excess of lawful entitlement.

a Previous Conveyances

If the corporation has received previous conveyances, verify the remaining entitlement using the quarterly report.

b Rule of Approximation

The rule of approximation applies only to surveyed lands and provides that any lands conveyed in excess of entitlement must be less than the deficiency would be if the smallest legal subdivision were eliminated, 43 CFR 2650.5-2. It may be necessary to invoke the rule of approximation when preparing to convey full entitlement.

6 Easement/Conveyance Progress Report (ECPR)

The ECPR contains information on all conveyances issued to the corporations. The ECPR was printed by IRM once a month and distributed to each Branch. After conversion to ILIS, this report will no longer be in the system, and will be replaced by a new acreage control system.

7 Legal References

The legal references pertaining to regional selections are found in the Alaska Native Claims Settlement Act and its amendments, subsequent laws, the U.S. Code of Federal Regulations, and various public land orders. Specific acts, agreements, or orders affecting a regional corporation are listed in Appendix A. In the DIC Process, any region-specific legal references must be considered to determine the correct requirements for processing an application and to determine any affects on acreage entitlements and availability of lands.

8 Decision Process

a Village Selections

As stated in 43 CFR 2651.4(d), village selections within Secs. 11(a)(1) and (a)(3) withdrawals will be given priority over regional corporation selections for the same lands. Therefore, a regional selection is not valid where it conflicts with a village selection.

Since many Sec. 14(h)(1) selections are within village overselections, consideration has been given to allowing relinquishment of low priority village selections in favor of Sec. 14(h)(1) selections, Cook Inlet Region, Inc., 77 IBLA 383 (1983), provided the following criteria are met:

Favorable action on the Sec. 14(h)(1) selection would not create a preference right (i.e., as to a State top filing under Sec. 906(e) of ANILCA);

The lands selected under Sec. 14(h)(1) are otherwise available for selection;

The relinquishment would not result in the village corporation being underselected;

The relinquishment would not create small, unmanageable Federal inholdings surrounded by conveyed lands;

The relinquishment is not conditional upon any other action.

b Regional Selections

Selections made under Sec. 12(c) predate any selections under Sec. 14(h). However, if the lands are available and also dually selected under Secs. 12(c) and 14(h), it is policy to ask the corporation under which entitlement it wishes the lands conveyed.

Selections made under Secs. 14(h)(1), (2), (3), and (5) of the Act will take priority over selections made pursuant to Sec. 14(h)(8) and the Sec. 14(h)(8) selection must either be rejected or relinquished, 43 CFR 2653.9(a).

c State Selections

Valid State selections made under Sec. 6(b) of the Statehood Act must be for lands that were vacant, unappropriated and unreserved at the time of State selection. Community grant selections filed pursuant to Sec. 6(a) of the Statehood Act are for vacant, unappropriated land. In either case, lands validly selected by or tentatively approved to the State are not available for regional selection. Invalid State selections will be rejected as to the lands approved for conveyance in the DIC.

d Native Allotments

Where valid Native allotments in conflict with Sec. 14(h)(1) applications have been approved, the 14(h)(1) application must be rejected as to the lands in conflict with the Native allotment. Frequently where such a conflict exists, a comparison of the field reports indicates that the cultural features or grave sites identified by BIA used to determine the eligibility of the site are partially or totally within the boundaries of the allotment and the remaining available lands consist of the buffer zone. Where such conflicts exist, the regional corporation will be contacted to determine if it will relinquish the site. If the corporation will not relinquish and it is determined that all the cultural features are within the allotment, the Sec. 14(h)(1) application will be rejected as to the remaining lands.

e Settlement Claims

Since Sec. 14(h)(1) applications must have been filed on unappropriated and unreserved public lands, adjudication of any such claims is based on the date the 14(h)(1) was filed. If a settlement claim predates the Sec. 14(h)(1) application, the settlement claim will prevail.

f Valid Existing Rights

Section 14(g) of ANCSA mandated that all conveyances be made subject to valid existing rights. These rights include those created by BLM as well as those which are identified as third-party interests by any Federal agency having jurisdiction of the land at the time the interest was created.

The regulations at 43 CFR 2650.3-1 provide that rights leading to acquisition of title are excluded from a conveyance but that conveyances shall include land subject to rights of a temporary or limited nature such as leases, contracts, permits, rights-of-way, or easements. Where known, these interests are identified and protected.

In addition, all conveyances under ANCSA are made subject to valid existing rights in general to protect the rights of unknown interests or interests not specifically protected. (see Glossary 203a for specific wording). It must be noted, however, that the administrative act of listing an interest as a valid existing right or failing to list it does not create or extinguish the right, and the ultimate validity of interests may require civil court action.

Secretarial Order 3029 (Departmental Manual at 601 DM 2) provides that BLM has an obligation to determine the validity of those interests which are created under Federal law. The exceptions being unpatented mining claims filed under the Mining Law of 1872 and right-of-way claims under R.S. 2477.

g Third-Party Interests

Third-party interests are those created and/or administered by a Federal agency other than BLM on regional selected lands. Prior to conveyance of lands which have been or are currently under the jurisdiction of another Federal agency, requests for identification of any interests created should have been forwarded to the appropriate agency. See Pre-Decision Process, C-4.

When the response from the Federal agency is received, review the interest and exclude it from the conveyance or make the conveyance "subject to" the interest.

Section 14(h)(1) applications are to be made from unreserved and unappropriated public lands. However, Sec. 14(h)(7) allows for the selection of cemetery and historic places from within Wildlife Refuges and National Forests as they existed at the time of ANCSA. Thus, the original reserve or appropriation that established the Wildlife Refuge or National Forest is not a bar to disposition of lands under Sec. 14(h)(1) of ANCSA.

Subsequent withdrawals within Wildlife Refuges or National Forests, such as those made to close an area from location and entry under the Federal Mining Laws, are not a bar to disposition of lands under Sec. 14(h)(1) of ANCSA.

ANCSA also requires that lands selected pursuant to Sec. 14(h)(1) must not only be "unappropriated and unreserved" but must be "public lands". Public lands are defined in Sec. 3(e) of ANCSA as excluding "the smallest practicable tract... enclosing land actually used in connection with the administration of any Federal installation". Thus, to the extent that there is an active Federal installation on the lands, the lands are not available under Sec. 14(h).

Lands withdrawn under Secs. 11(a)(3) or 14(h) are not subject to a determination under Sec. 3(e) of the ANCSA, 43 CFR 2655.1(b), and BLM has taken the position that an ANCSA Sec. 3(e) determination is inappropriate to use as the definition of public lands concerning land availability under Sec. 14(h) of ANCSA.

In addition to Federal installations, the use of Federal lands by Federal agencies in furtherance of their obligations and purposes may also be an "appropriation of land" and as such are not considered public lands. Therefore, lands that qualify as appropriations by a Federal agency are unavailable for selection under Sec. 14(h).

An appropriation can be defined as "devoting or setting apart land for a particular use or purpose", as where land is appropriated for public uses.

Appropriations should be viewed as applying to the extent of the improvements for which Federal funds have been used and actual occupancy by a Federal agency. Appropriations

apply to public lands as setting apart of things for some particular use. If the Federal expenditure and use is specified for recreational uses, it could be viewed that those lands are not available for conveyance under ANCSA.

If the interest expires upon conveyance, the decision will include a paragraph which identifies the interest by serial number and name of applicant, and states that the permit, lease, etc., will terminate upon conveyance of the lands.

The validity of interests created by agencies other than the Forest Service, Fish and Wildlife Service, National Park Service, or the Bureau of Indian Affairs prior to ANCSA may be determined by examining the authority granted to that agency by PLO or delegation of authority. Those interests created by other Federal agencies after December 18, 1971 are not considered valid.

h Granted Rights-of-Way

Rights-of-way include roads and highways, pipelines, powerlines, material sites, etc., which are all noted to the MTPs if administered by BLM. In Alaska there have been many authorities for granting rights-of-way on or across public land. As of October 21, 1976, Title V of FLPMA is the only authority to issue rights-of-way. A conveyance under ANCSA must be made subject to any granted right-of-way. The following guidance is provided for some specific types of right-of-way grants:

(1) Material Sites

Federal aid material site rights-of-way, granted to the State as a source of materials for construction or maintenance of federal aid highways, provided that an unspecified amount of material was to be taken from the site for the purpose of road building or maintenance and that proof of construction be filed within five years.

If the validity of a material site is questioned, the D.O. is required to adjudicate to determine validity prior to conveyance.

Validity Determination Made Prior to Conveyance

If the material site is determined to be valid, the conveyance will be made subject to the granted right-of-way. If found to be invalid through non-compliance, the grant must be cancelled prior to conveyance.

Validity Determination Not Made Prior to Conveyance

If conveyance is made prior to a validity determination, the lands within the material site should be excluded in the DIC and the paragraph in the decision which gives reasons for excluding lands should include "lands within material site rights-of-way, pending a validity determination".

Once the determination is made, a decision will be written approving the previously excluded lands within the material site right-of-way for conveyance.

If the material site is determined valid, the lands will be described by township, range and section as "those lands within material site right-of-way [*serial number*]" and the conveyance will be made subject to the material site right-of-way.

If the site is determined invalid and cancelled, the lands will be described in the DIC by township, range and section, "those lands formerly within material site right-of-way [*serial number*]."

(2) Railroad Right-of-Way

On July 5, 1985, the Alaska Railroad was transferred to the State of Alaska pursuant to the Alaska Railroad Transfer Act of 1982 (ARTA). Several types of documents were used for this transfer:

Patents to lands (all Federal interests which can range from fee title to exclusive use easements) that were surveyed and not claimed by others;

Interim conveyances for unsurveyed lands with no conflicting claims;

Quitclaim Deeds for areas where Federal interest was slight or non-existent;

A deed for exclusive use easement, only within Denali National Park; and

Exclusive licenses for all lands with claims requiring adjudication. Licenses are temporary in nature and after adjudication of conflicting claims will be replaced by patent.

All lands are identified in the documents as either railroad parcels, which are usually parcels of lands withdrawn by PLO or Executive Order for railroad purposes; or railroad right-of-way, which (with a few exceptions) is a 200 foot strip of land extending 100 feet from the railroad centerline. All unadjudicated village and regional corporation land selection applications in conflict with railroad lands are identified as conflicts requiring adjudication in the exclusive license. All conflicting claims within the lands covered by the license will be adjudicated so that all remaining federal interest will be conveyed. The adjudication process is being completed by the Branch of Cook Inlet and Ahtna Adjudication (968) and is ongoing. In most cases, no lands identified as railroad property by any transfer document should be conveyed out of federal jurisdiction without a reservation to the United States of not less than an exclusive use easement.

BLM is not responsible for conveying any railroad lands pursuant to ARTA. BLM performs the adjudication and prepares all railroad conveyance documents. The documents are then signed and issued to the Alaska Railroad Corporation (a quasi-public corporation created by the State of Alaska to receive conveyance of the railroad) by the Federal Railroad Administration.

If an adjudicator is conveying lands to a Native corporation which include the railroad right-of-way or a railroad parcel, contact (968) to clarify the status of the lands. It may be necessary for (968) staff to take some action prior to conveyance.

(3) Roads and Highways

The following authorities were used to enable construction of roads or highways. Conveyances must be made subject to these roads and highways. Roads and highways sometimes require more than one type of reservation (e.g., all roads subject to the easements established by PLO 1613 were included in the QCD to the State of Alaska under the Omnibus Act and a conveyance would be subject to both). See Appendix E for trails and roads information reference sources.

PLO 1613 Highways. PLO 1613 revoked PLO 601 which reserved public lands for highway purposes (see manual section on PLO 1613) and established an easement extending 150 feet on each side of the centerline of the existing road as of April 11, 1958. These easements were included in the QCD to the State under the Omnibus Act. The affected highways are:

- Alaska Highway
- Richardson Highway
- Haines Highway
- Glenn Highway
- Seward-Anchorage Highway (excluding lands in Chugach National Forest)
- Anchorage-Lake Spenard Highway
- Fairbanks-College Highway.
- Through roads (100 feet centerline)
- Feeder roads (50 feet centerline)

PLO 1613 Lots. PLO 1613 gave the backland owner the preference right for lands released from withdrawal with no time limit for application. ANCAB determined that the preference rights created in PLO 1613 are valid existing rights under ANCSA and the lands are not available for selection under ANCSA if the backland owner had a patent or valid entry on April 11, 1958, the date of PLO 1613, Raymond A. Kreig, 86 ID 189, (1979).

R.S. 2477. Revised statute 2477 granted a right-of-way to any person, state or local government for the construction of highways over public lands not reserved for public use. On October 21, 1976, FLPMA repealed R.S. 2477. New highways could not be constructed after that date under the authority of R.S. 2477. BLM has no authority to adjudicate a claimed R.S. 2477 because they were granted by Congress, Act of July 26, 1866. Therefore, the validity of a claim can only be determined by the courts (see also 601 DM2). Except as outlined below, R.S. 2477 claims will not be addressed in decisions or conveyance documents.

If the State claims an R.S. 2477 on a 17(b) easement, the easement will be made subject to the "claimed R.S. 2477 right-of-way, if valid". If the State proves validity of an R.S. 2477 through later judicial action, the 17(b) easement can be deleted.

44 LD 513. 44 LD 513 is an abbreviation that refers to a letter of instruction found in volume 44, Land Decisions, page 513, dated January 13, 1916. This instruction provides for exception in patents where telephone lines, roads, trails, bridges

and similar improvements have been constructed on federal lands with federal monies and are being maintained by and for the United States. Federal agencies used the 44 LD 513 authority throughout Alaska for many other purposes, including roads and National Guard sites. These were identified and noted to the records. ANCSA requires BLM to convey all right, title and interest of the United States to the Native corporations, which includes lands identified as 44 LD 513s. However, a federal agency may request an ANCSA Sec. 3(e) determination be made (see Sec. 3(e) Process, Appendix B) if lands were being used as a federal installation at the time of ANCSA, or if a trail for public use is identified, it may be reserved by a 17(b) easement.

Omnibus Roads. The Alaska Omnibus Act P.L. 86-70, 73 Stat. 141, gave the Secretary of Commerce authority to quitclaim the rights-of-way for existing and proposed Federal Aid Highways to the State of Alaska. The QCD was executed June 30, 1959.

BLM is not required nor obligated to specify width of Omnibus Roads; however, if the widths and the supporting information (PLO, etc.) is available, identify it as a "subject to" in the decision. See Appendix D for additional reference information.

Highway Easement Deeds. The Act of Congress of August 27, 1958, as amended, 43 U.S.C. 317, authorized the Secretary of Commerce to issue deeds for rights-of-way to the State of Alaska for initial construction and widening or rerouting existing roads. The deeds are required to enable the State to receive federal aid for construction of certain highways. The deeds are serialized and plotted on the MTPs and may overlap Omnibus roads, R.S. 2477 roads and other highway easement deeds. These are identified as a "subject to" in the decision.

i Powersites

(1) Secs. 11 (a)(1) and 16(a) Withdrawals

Power projects, powersite classifications, and powersite reserves within Secs. 11(a)(1) and 16(a) withdrawals are available for selection by regional corporations, excluding those areas actually used in connection with a federal project determined to meet the criteria for smallest practicable tract enclosing a federal facility as defined under Sec. 3(e) of ANCSA. An opening for entry under Sec. 24 of the Federal Power Act is not required prior to conveyance, and conveyances are not issued subject to the standard reservations normally prescribed to protect federal interests in power withdrawals ? (cf. Opinion of the Associate Solicitor of October 27, 1977).

(2) Sec. 11(a)(3) Withdrawal

Lands which were set aside for power projects, power reservations, or power classifications within deficiency lands withdrawn by Sec. 11(a)(3) of ANCSA may be selected by Native corporations if the areas have been open to disposition under the public land laws by Sec. 24 of the Federal Power Act. Conveyance under this provision is "subject to" a reservation of the right of the United States or its permittees or licensees to enter upon, occupy and use any or all of the lands necessary for power purposes, 16

U.S.C. 818; 43 CFR 2320.

(3) Power Transmission Lines

Deficiency lands withdrawn pursuant to Sec. 11(a)(3) of ANCSA which are reserved or classified as powersites for the purpose of power transmission lines, with no other value for power purposes, are open to selection subject to Sec. 24 of the Federal Power Act, 16 U.S.C. 818, as provided by the general determination of the Federal Power Commission, 43 CFR 2320.2.

Conveyances of lands reserved for existing powerlines within Secs. 11(a)(1) or 16(a) withdrawals are not issued with a Sec. 24 reservation, but must be granted "subject to" the powerlines.

(4) Power Project Licenses

Lands within power project licenses may be selected; however, all conveyances shall be granted "subject to" the license. This is consistent with the IBLA ruling that licensed power projects are valid existing rights, but are not rights normally excluded from selection and conveyance, as contemplated by Sec. 14(g) of ANCSA, such as those leading to acquisition of title or federal facilities as defined under Sec. 3(e) of ANCSA, Ketchikan Public Utilities, 79 IBLA 286 (1984).

Send a courtesy copies of any decision or conveyance involving power projects, reserves, and classifications to:

Federal Energy Regulatory Commission
825 N. Capitol St.
Washington, D.C. 20426
(w/plat(s))

j Coast Guard Installations

The U.S. Coast Guard has agreed to the use of ANCSA Sec. 17(b) easements for protection of certain navigational aids within Sec. 11(a)(1) withdrawals in lieu of fee simple retention in Federal ownership.

This approach has several advantages which can be applied as well to selections within Sec. 11(a)(3) withdrawals where the sites would have to be excluded and not subject to Sec. 3(e) of ANCSA:

No survey of retained Federal land is required;

No additional withdrawal action is required to identify the retained Federal lands;

If the site is relinquished by the agency, no revocation-restoration action is required;

The Native Corporation gets title to the land subject only to occasional entry by the Coast Guard for operation and maintenance and restriction on development within the clear arc of visibility.

These are important advantages which apply on all lands selected by Native corporations. It is BLM policy to minimize costs wherever possible without compromising Federal or Native corporation interests. Therefore, where improvements appear to be minor, the U.S. Coast Guard or other Federal agency will be contacted to determine if they are willing to accept the protection afforded by a 17(b) easement. If so, we will convey the land with a 17(b) reservation as long as there are no other impediments.

k Grazing Leases/Permits

(1) Livestock Grazing Leases

Authorized by the Act of March 4, 1927, and governed by the regulations at 43 CFR 4200, grazing leases are considered valid existing rights under ANCSA. Prior to issuing a decision, review the grazing lease file to determine the lease term. If the lease contains a stipulation that it will be cancelled when the lands are conveyed to the corporation, contact the DO and coordinate a joint action. The DO will issue a decision either cancelling or reducing the lease as to the lands being approved for conveyance simultaneously with the DIC. The appeal periods will run concurrently. At the end of the appeal period, the lease will be cancelled or reduced accordingly.

If the lease does not contain the stipulation that it will expire upon conveyance, the conveyance will be made "subject to" the lease as follows:

Grazing lease [*serial number*], issued to [*name of lessee*] in [*land description*], under the Act of March 4, 1927, 48 U.S.C. 471, 471a and 471o.

(2) Reindeer Grazing Permits

Reindeer grazing permits (casetype 4300.00) automatically terminate as to the lands approved for conveyance in the decision. Unlike other types of grazing permits, reindeer permits carry no segregative affect and are reduced accordingly when lands are conveyed out of federal ownership. All of the permits under BLM management are located on the Seward Peninsula (NANA and Bering Straits Regions).

When addressing reindeer grazing permits in the DIC, the following paragraph should be used:

Reindeer grazing permit [*serial number*], issued to [*name of permit holder*] on [*date*], located within the lands herein approved for conveyance will terminate upon conveyance of the lands in accordance with the Additional Conditions or Stipulations identified in Sec. 9 of the permit.

l Public Land Orders

Secs. 11(a)(1) and 16 Withdrawal Areas. Withdrawal applications for lands withdrawn pursuant to Secs. 11(a)(1) and 16 of ANCSA are not a bar to conveyance under Sec. 14(h). The pending withdrawal application must be denied to the extent it conflicts with an ANCSA conveyance. This action should be taken in conjunction with the decision to convey. Prior to issuance of the DIC, check with the Withdrawal Staff in the Branch of Land Resources (932) on actions required to terminate the segregative effect of the withdrawal application.

Sec. 11(a)(3) Selection Areas. Withdrawal applications filed prior to withdrawal under Sec. 11(a)(3) of ANCSA segregate to the extent specified in the Federal Register. For instance, if the segregative effect is only from entry under the mining laws, allowance of applications on Sec. 11(a)(3) withdrawn lands would not be affected. However, segregation from entry under the public land laws would be a cause for rejection. In those instances where the selections can be allowed, check with the Withdrawal Staff (932) to determine the appropriate action to be taken on the withdrawal application prior to conveyance to the Native corporation and submit copies to (932) any time the action affects a withdrawal of record.

Termination of Segregative Effect. If the withdrawal application is denied, a notice must be published in the Federal Register within 30 days that the segregative effect has terminated to the extent the application is denied, 43 CFR 2310.2-1. This action is taken by the Withdrawal Staff in the Branch of Land Resources (932). Adjudicators should note that the segregative effect of withdrawal applications filed on or after FLPMA, October 21, 1976, terminates two years after filing if no action has been taken to approve or deny the application. For all withdrawal applications filed prior to the date of FLPMA, the segregative effect terminated on October 20, 1991 if no action was taken. See also 43 CFR 2310.2-1(d) and (e) for appropriate Bureau action in these instances.

m. Conservation System Units (CSUs)

On December 2, 1980, ANILCA designated all units of the National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers Systems, National Trails System, National Wilderness Preservation System, or a National Forest Monument in Alaska as CSUs. The definition of a CSU in ANILCA included all existing units of such systems as they existed on the date of ANILCA as well as any units established, designated, or expanded by ANILCA and any future additions to or creations of such units.

ANILCA created or expanded CSUs are considered "different" from the national parks and wildlife refuges that existed prior to the passage of ANCSA. Regional selections made pursuant to Sec. 14(h)(1) may be valid in old refuges. Regional selections made pursuant to Sec. 14(h)(1) of ANCSA are not affected by CSUs or the PLOs that withdrew the lands in the years preceding the passage of ANILCA.

n BIA School Sites

Although the formal reserved status of BIA school sites was revoked by Sec. 19

of ANCSA, BIA had the authority under the Act of August 23, 1950, 64 Stat. 470, to dispose lands and improvements no longer needed for federal school purposes. Under that authority, the BIA conveyed several school sites to the State by QCD. Those sites deeded to the State prior to ANCSA are not subject to an ANCSA Sec. 3(e) determination and are not available for conveyance to the Native corporations. The same is true of school sites which have been patented to the Townsite Trustee and held in trust for the municipality.

It was determined, however, that sites conveyed after December 18, 1971 which were subject to a Sec. 3(e) determination and where the language of the deeds conveyed "all of the right, title, and interest" of the BIA "if any," the QCD passed title to only the smallest practicable tract actually used by BIA during the selection period. Any lands determined to be public lands by a subsequent Sec. 3(e) determination will be conveyed to the Native corporation. See the Solicitor's opinion, "Deeds Issued by the Bureau of Indian Affairs", October 25, 1985.

In other cases, BIA granted long-term leases to the State for school sites. Some of these leases were issued for only the lands determined to be the smallest practicable tract under Sec. 3(e); however, if the lease included lands determined to be public lands under Sec. 3(e), conveyance of those lands to the Native corporation will be made subject to the lease. See Solicitor's opinion, BIA School Site Transfer, October 2, 1986, which addresses issuance of long-term leases as opposed to conveyance for school sites within the refuges.

o Minerals

(1) Mining Claims

Because mining claim recordations are not shown on the status plats, mining claim information is obtained from ILIS. Review the TWPALL for each township and range selected to identify any conflicts with mining claims. If mining claims are present, a request for review of the claims was required in the Pre-Decision Process (C-5). The response from Mineral Law (982) will provide information on mining claims in the immediate vicinity of the ANCSA selection which have been validly located and maintained pursuant to Sec. 314 of FLPMA.

Secs. 11(a)(1), 11(a)(2) and 16 Withdrawals. Within ANCSA Secs. 11(a)(1), 11(a)(2) and 16(a) withdrawals, Native corporations may select all public lands and interests therein, including lands embracing unpatented mining claims. Regional corporations are not required to select lands within an unpatented mining claim or millsite, 43 CFR 2651.4(e). Unless the region excludes the claim, BLM will convey all of the interest of the United States to the selecting corporation, providing the mining claimant has not filed a survey application or a patent application with BLM. Thus, a corporation receives conveyance to the land, subject to the miners rights, if valid.

It is important to note that a mining claim recordation is not an application and does not appear on the land status records. However, Departmental regulation 43 CFR 2650.7(d) requires a decision proposing to convey lands be served on all known parties of record

who claim to have a property interest or other valid existing right in the land. The holder of a mining claim has until time of conveyance to the Native corporation to file a mineral survey application or an application for patent. When the mineral survey has been completed, a formal mineral patent application may be filed. Mineral survey applications and mineral patent applications will be excluded from conveyances to protect any valid existing right. The Native selection will not be rejected until the mineral patent application is approved. See Section C-5 of the Pre-Decision Process for requesting minerals adjudication and review.

Sec. 11(a)(3) Withdrawals. Lands withdrawn under Sec. 11(a)(3) of ANCSA were to be unreserved, vacant and unappropriated public lands. Valid mining claim recordations, even though unpatented, are appropriations, Wilbur v. U.S. ex rel Krushnik 280 U.S. 306, 316, 317 (1930). Therefore, properly recorded mining claims are excluded from conveyances within deficiency lands.

For lands formerly within mining claims in areas that were withdrawn by Secs. 11(a)(1) or 11(a)(3) of ANCSA, and the region excluded the mining claims from its selection, the following applies:

If lands within mining claims which have been declared null and void ab initio ("ab initio" means from the beginning) or for which a location notice was never filed with BLM, the lands will be considered selected by the region and may be conveyed to make the selection and conveyance compact.

If mining claims were declared invalid or abandoned during the regional selection period, and if the corporation amended its application to include the former mining claims, the lands may be conveyed if the amendment was timely filed.

If the lands do not meet one of the above criteria, they must be excluded and can only be acquired by the corporation through exchange or special legislation.

(2) Mineral Survey Applications

Mineral survey applications are noted in the remarks column of the MTP as "affecting this township" and are also found in the TWPALL. Exclude these applications in the decision as they are considered an intent to go to patent. Therefore, as long as they remain of record, do not reject the regional selection.

(3) Mineral Patent Applications

Mineral patent applications are noted to the MTP with a mineral survey number (MS or ME Apln. ____). Patent applications remain on the MTP until the patent has been issued to the claimant or the patent application has been rejected or withdrawn. Mineral patent applications must be excluded from the conveyance.

If a mineral patent application is rejected, the lands involved do not become available for conveyance under ANCSA until the rejection decision is final and the case is closed and removed from the BLM status records.

When a mineral application is rejected because of the mining claimant's failure to pursue the application with diligence, the rejection decision is issued without prejudice to the claimant to file a new application at a later date, provided the lands have not yet been conveyed.

The adjudicator may encounter a situation wherein an approved mineral survey appears on the status plat but has no active mining claim or mineral patent application associated with it. In these cases, the mineral survey may be conveyed to the Native corporation. The adjudicator should check with the Branch of Mineral Law (982) to determine if the miner intends to file a mineral patent application. An approved mineral survey would be excluded only if the land were patented; there was a mineral patent application on file; or the Native corporation excluded it in its application.

After a mineral survey is approved, a period of six months is allowed for filing the formal mineral patent application. The application for survey remains on the plat and is excluded from the conveyance.

(4) Granted Leases

A granted oil and gas lease constitutes a valid existing right under Sec. 14(g) of ANCSA. Therefore, conveyance of lands embraced in a lease must be made subject to that lease (see the Patent Handbook for standard wording to be used in the decision).

If the DIC includes all lands within the lease, send a copy of the DIC and a Notice of Intent to Waive Administration to the lessee by certified mail. After conveyance, send the lease file and copies of the decision and conveyance documents to the Branch of Mineral Law (982).

If the leased lands are entirely within the conveyance, the Branch of Mineral Law will waive administration of the lease to the Native Corporation.

If the lease is only partially conveyed, the Branch of Mineral Law will notify Minerals Management Service (MMS) so that rents and royalties can be properly distributed. The MMS will also be responsible for any escrow processing.

(5) Offers to Lease

Oil and gas lease offers are not considered valid existing rights and must be rejected prior to conveyance. Since the decision to reject such offers must be prepared in the Branch of Mineral Law (982) and transmitted to Washington for signature by the Secretary of the Interior or his designee, the land description should be forwarded to (982) as early in the conveyance process as possible as discussed in the Pre-Decision Process, C-5. Since the Secretary is the final authority within the Department and no administrative appeal process is available, the decision is final upon signature and the status is clear for conveyance.

p Airport Lesees/Conveyances

RESERVED**q Waiver of Administration**

Conveyances made pursuant to ANCSA are subject to any lease, contract, permit, right-of-way, or easement issued prior to the conveyance. Sec. 14(g) provides that the United States shall continue to administer any such use authorizations unless the managing agency waives administration.

Departmental regulation 43 CFR 2650.4-3 requires that the Department of Interior waive administration when the conveyance covers all the land embraced within a lease, contract, permit, right-of-way, or easement unless it is determined that the interest of the United States is best served by the continued management by the United States.

If the interest is partially located within the lands to be conveyed, BLM will waive administration unless there is a finding that the United States should continue to administer the interest.

If it is determined that administration of the interest is to be waived in its entirety or in part, issue a "Notice of Intent to Waive Administration" at the time of the DIC. See Illustration 3. Send a copy with the DIC to the corporation and to the interest holder.

r Native Escrow

Section 2(a) of Public Law 94-204, 89 Stat. 1145, dated January 2, 1976, amended ANCSA and directed that an escrow account be established for Native corporations, and that all proceeds derived from contracts, leases, permits, rights-of-way, or easements pertaining to lands or resources of lands withdrawn for Native selection pursuant to ANCSA be deposited to the account. This account is to be held by the Secretary until lands selected pursuant to ANCSA have been conveyed to the selecting corporation entitled to receive benefits under ANCSA.

The Act further authorizes the Secretary to deposit in the Treasury of the United States the escrow account proceeds and that the United States shall pay interest thereon semiannually from the date of deposit to the date of payment with simple interest at the rate determined by the Secretary of the Treasury to be the rate payable on short-term obligations of the United States prevailing at the time of payment.

Escrow Identification

Monies are deposited in escrow for all revenue generating case files on ANCSA selected lands. To determine if there are any active, inactive, or closed revenue generating case files in a township or window enter ?MSKREP 49 by township or window. Verify any revenue generating cases by pulling abstracts for any identified case files. If they have been audited, there will be appropriate escrow action codes in the history (469-CA ESCROW ID COMPLETE). If there are no escrow codes in the history abstract but money has been received by BLM, refer the file to the Escrow Coordinator (961) at this time. The Escrow Coordinator will audit the file and take any necessary

actions. The adjudicator does not have to wait for the audit to be complete prior to issuing the decision.

Lands Administered by Other Agencies

If the land to be conveyed is under the jurisdiction of another agency, such as the Forest Service, that agency is responsible for collecting the amount due and transmitting the funds to the escrow account. However, it is the responsibility of the ANCSA adjudicator working the case to send a copy of the interim conveyance to the administering agency when the conveyance is issued.

s Document Process

The work plat should be used to guide the adjudicator in writing the decision. Other reference materials should be used where needed. Use Glossary 203(a) for standard wording using the various options (cards) to fit the specific situations. In those cases where no standard wording is available, use creative writing skills. The decision should flow in a sequence similar to that outlined in the glossary:

Document Preparation

* Decision Heading	Card a
* Introduction Information	Card f
- Background Information	
- Legal References	
* Analysis of Conflicting Applications	Card ?-t
* Lands proper for conveyance	Cards u-v
* Navigable/Submerged/Tidal Status	Cards w-1
* Exclusions	Card 2
* Easements/Reservations	Cards 3-5, 7-D
* Subject to's	Cards E-G, J
* Conveyance to date	Cards M
* Appeals & CC list	Card S

9 Publication process

If lands are being approved for conveyance in the decision, notice must be published once in the Federal Register and once a week for four consecutive weeks in a newspaper of general circulation in the vicinity of the lands being approved for conveyance, 43 CFR 2650.7(d). Decisions issued solely for rejecting an application are not published.

a Federal Register Publication Notice

Use Glossary 200a to publish when the decision involves only one serial number;

Use Glossary 199a to publish a decision involving more than one serial number;

Use Glossary 135a when a previously published decision is modified and the modification needs to be published.

See Illustrations 4-6 for examples of the glossaries listed above.

After the notice has been drafted and all the necessary changes/corrections made, prepare a final package which includes:

- Four originals
- BLM reading file
- Branch reading file
- Case file(s)
- Originator copy

Before mailing the notice to the Office of the Federal Register, take the following steps to ensure that the notice is properly processed for payment in accordance with IM AK 91-18, change 2:

Complete a Document Face Sheet (Form 1310-5). See Illustration 7 for an example.

The Accounting Technician (AK 953A) is responsible for assigning the Document Control Number. This number will always start with L974G.

For FY93, the cross-reference number is 3-00163. This number is assigned by the Washington Office and changes with the fiscal year. The schedule or Block Number is 4310-JA. This number is always the same.

Indicate on the Document Face Sheet what is being published.

Complete the Weekly Report for Federal Register Notices Form (AK-1550-4). See Illustration 8 for an example.

Send the following to the Accounting Technician (953A):

- Completed Document Face Sheet;
- A copy of the first page of what is to be published;
- A completed Weekly Report for Federal Register Notices Form.

The Accounting Technician will assign a document control number and return to the originator. After these steps are completed, the originator is responsible for sending the documents to the Office of the Federal Register for publication.

Send the four double-spaced signed originals to the Office of the Federal Register. Attach a routing and transmittal slip (Form 1542-4) to each one with the following information:

The Federal Register Office Number

Action needed
Name of originator
Date and telephone number

See Illustration 9 for an example.

If the notice is being sent by regular mail, use this address:

Office of the Federal Register
National Archives and Records
Administration
Washington, D.C. 20408

If the notice is being sent by overnight mail, use this address:

Office of the Federal Register
Room 8301
1100 L Street NW
Washington, D.C. 20005

NOTE: Do not send the Document Face Sheet to the Federal Register.

When the Federal Register is ready to publish the notice, a representative will call and provide the publication and appeal dates. These dates are stamped in the blank space in the Newspaper Publication Notice and the decision.

If a Federal Register representative does not call with the information within a few days, call 8-523-3187 and verify receipt of the notice and request the publication and appeal dates.

NOTE: Copies of the Federal Register Publication Notice are not mailed-out with the decision.

Federal Register publications are made daily. Copies of each week's Federal Register are sent to the Division of Conveyance Management. The Division Secretary checks for notices that affect the Division and makes copies of them. The Secretary then routes a copy of the Federal Register page in which the notice appears to the appropriate Branch.

The originator of the publication notice will in turn forward a copy of the notice to the Accounting Technician (953A) so payment can be made. A copy of the published notice should also be incorporated in the appropriate case files.

b Newspaper Publication Notice

Use Glossary 39a for the newspaper cover letter;

Use Glossary 198a to publish when the decision involves only one serial number;

Use Glossary 197a to publish a decision involving more than one serial number;
or

Use Glossary 217a when the previously published decision is modified and the
modification needs to be published.

See Illustrations 10-14 for examples of the glossaries listed above.

The final package should include copies for:

- BLM reading file
- Branch reading file
- Case file(s)
- Originator
- Public Room

NOTE: Copies of the newspaper publication notice are not mailed with the decision.

Before mailing the letter and notice to the newspaper, complete all information required on the advertising order (AO) form (AK 1510-9) with the exception of those areas which are to be left blank. Fill in the date in the space provided on the AO stating that publication in the newspaper should begin in the issue closest to the date (give date) notice was published in the Federal Register (See Illustration 14 for an example.) The only persons currently authorized to approve AOs are the Branch Chiefs.

Submit the AO, along with a copy of the newspaper publication notice to Procurement (AK-953B). The procurement clerk will assign an AO number; provide a purchase order number; and have a contracting officer sign and date it. No order numbers will be given out over the telephone. A copy of the AO along with the original advertisement will be sent back to the originator to forward to the newspaper. At this time, the decision, which now includes the Federal Register publication date and the appeal date, is ready to issue.

NOTE: Try to date the decision with the same date the notice was published in the Federal Register.

Send the cover letter, double-spaced notice for newspaper publication, and three copies of the advertising order to the newspaper.

A tear sheet of the first issue will be sent to the originator for proofing. If the tear sheet is not received shortly after the approximate first date, call the newspaper. Request a FAX copy (BLM FAX number 271-5425) of the publication notice, so that if necessary, there will be time for corrections prior to the next publication date. After receiving the tear sheet, immediately notify the newspaper if corrections are needed.

The proof of publication must come directly to procurement in order to be matched with the original AO. A copy of the original AO and proof of publication from the newspaper will be sent together to the originator for verification. At that time, the originator is to

proof the advertisement, sign the bottom of form AK 1510-9 as the verifying officer and return only the AO to procurement. The original proof of publication is to remain in the case file. Remember that at least four to five weeks would have passed since the first publication of the notice, but if an unusual amount of time has gone by, it may be necessary to check to see if proof of publication has been received in Procurement (953B). If proof has not been received, call the newspaper. Then, proceed with the necessary steps to ensure that this process is completed.

NOTE: If there is more than one newspaper serving the same area, alternate publication between them by publishing the next DIC for lands in the area in another newspaper.

10 Applicant/Interested Parties

The decision must be sent to the regional corporations and the parties identified on the standard "cc" list in Glossary 203a. Also provide a copy of the decision to any other interested parties identified in the adjudicative process or any parties who have requested a copy of the decision.

APPEAL PROCESS

After issuance, the decision is subject to appeal by any party claiming a property interest in the land being conveyed. If an appeal is filed, the appellant must file the notice of appeal with BLM and must also serve a copy of the notice on all adverse parties listed in the decision. (It is critical that all adverse parties be listed in the appeals paragraph in the decision if they aren't listed as addressees.) BLM will send the notice of appeal and copies of pertinent case files to the Interior Board of Land Appeals (IBLA).

The appeal must be filed within 30 days after the decision is served on the parties. The 30-day period is determined by referring to the date the addressee signed a receipt for the decision. Proof of receipt can either be by the Certified Mail-Return Receipt Requested (CM-RRR) green card or by personal service receipt. The receipt should show the date the addressee signed to receive the decision. If the date is not shown, the 30-day period starts on the day the card is received back at BLM. If the appealing party was not served by certified mail, the appeal must be filed within 30 days after publication in the Federal Register to be valid. After the 30-day period has expired, the adjudicator must wait an additional 10-days before issuing a conveyance to allow for receipt of any appeals that may be in the mail.

If an appeal is filed, the following actions must be completed within **FIVE** working days:

Make sure that the subject case file is in order and that the computer has been updated to reflect all adjudicative actions completed. **NOTE:** The Paralegal staff is responsible for coding appeal information.

Make two readable copies of every document in the subject case file that pertains to the lands being appealed, including current status plats and HIs.

Insert the copies into case file folders and attach a form AK-1274-9 (Case Records Advice cover sheet) to the front of each file. The two files should be clearly marked as dummy files.

Have Docket bar-code one of the files to indicate it is a dummy file (e.g., AA-6789/D; "D" is for dummy).

Hand carry the original and both dummy files to the Paralegal. The unserialized dummy file will be sent to the Regional Solicitor's office. The serialized dummy file will be sent to IBLA. The original case file will be retained by BLM. ?Do we normally send the original 14(h)(1) file because it is so small?

The Paralegal should be made aware of any pertinent information or documents regarding the case file after the appeal is transmitted.

NOTE: If the adjudicator receives an original Notice of Appeal, verify that the Paralegal has seen it. The Paralegal keeps the original copy.

If an appeal is filed after the 30-day period it is still necessary to transmit the administrative record to IBLA for action (dismissal).

Once an appeal is filed, no further adjudicative action can be taken on the lands involved in the appeal until IBLA issues a decision or order, 43 CFR 4.401. More information can be found in 43 CFR Subpart J, 4.415. IBLA can issue a segregation order which segregates the lands in dispute and allows BLM to continue processing the unaffected lands towards conveyance.

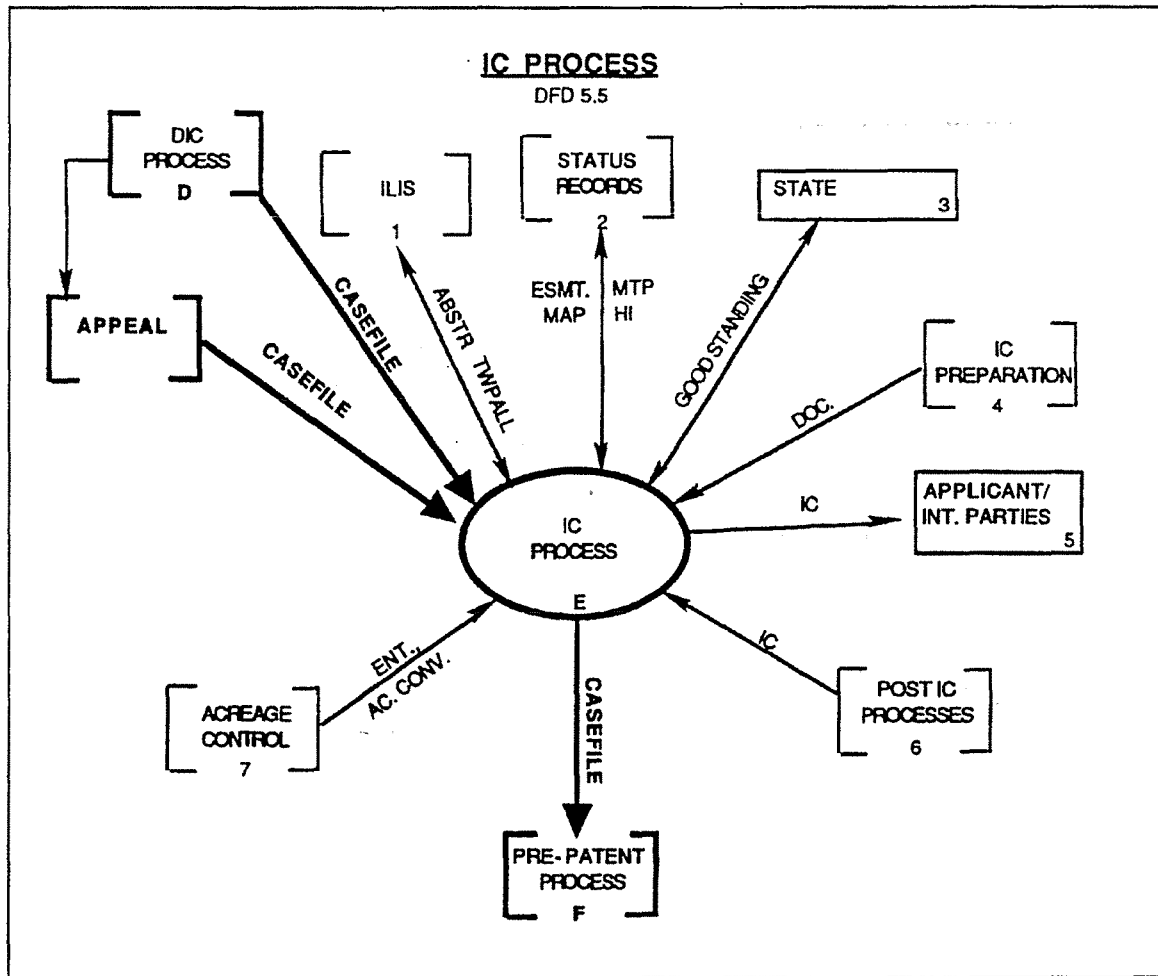
When the files are returned from IBLA, complete the following steps:

Check the file(s) out to yourself with your docket card;

Wait 60 days from the IBLA decision date to consolidate the dummy file and the newly returned permanent file. If a petition for reconsideration is filed within the 60 day timeframe for filing, make sure all original documents that have been filed in the dummy file since the initial appeal are placed in the original file prior to retransmittal to IBLA and keep copies for the dummy file;

If a petition for reconsideration is not filed, consolidate all original documents from the dummy file to the original file. Discard duplicate copies from the dummy file;

Send the empty dummy file folder to Docket with a note that the original and dummy files have been consolidated and that they can take the dummy off their case file control system. The Solicitor's Office keeps their dummy and disposes of it.



E Interim Conveyance (IC) Process

1 ILIS

In preparation for issuing the IC, retrieve a current TWPALL and abstracts for the selection file and any associated case files. Check the TWPALL to verify that there are no new applications filed on the lands and that the status of any associated files has not changed.

When issuing the IC, it will be necessary to update the case history abstracts and land descriptions by adding the appropriate codes. It may also be necessary to add any codes that were not entered during previous case processing at this time.

To update a case abstract, refer to the allowable action code listing for the casetype. Submit corrections in accordance with Branch policy. It is suggested that the adjudicator make corrections directly on the abstract with red ink and submit to the Land Law Assistant (LLA) for coding. When completed, the LLA should return the marked-up original and the new corrected abstract to the adjudicator for review.

NOTE: It is the adjudicator's responsibility to ensure the accuracy of ILIS data.

2 Status Records

a Master Title Plat (MTP)

Prior to issuing the IC, it is critical to review the MTP to insure that the status is current and that no changes have occurred since the decision was issued. Go to the Public Room and pull the appropriate aperture cards to verify that the date of the last status update has not changed from that of the work plat. If there have been no changes, proceed in the IC Process.

If there has been a change, carefully compare the new MTP and the work plat to determine whether it affects the conveyance area. It may not be necessary to update the work plat if there have been no changes to the pertinent status. If changes have occurred which affect the lands to be ICd, such as new applications being filed on the lands, it may be necessary to postpone issuing the IC until the matter is resolved. In such cases, it may be necessary to modify the DIC or take some other action as determined on a case-by-case basis before issuing the IC.

NOTE: If a Native allotment which was previously excluded in the DIC has been replotted prior to IC but remains on lands that were approved for conveyance in the DIC, exclude the allotment in its current location in the IC and explain the action taken in the cover letter accompanying the document.

b Historical Index (HI)

Review the HI in the Public Room and verify it against the case file copy. If anything has changed affecting the conveyance area, replace the existing copy with a new HI.

c Easement Maps

Request the easement case file from Docket using a case file request form (AK 1274-20). The easement file will have the same base serial number as the selection application file plus the suffix "-1E" (e.g., AA-11096-1E).

Request blackline work copies of the easement map(s) for the selection area from Title and Land Status (T&LS) using an ANCSA reproduction request form (AK 1500-8). When ordering easement maps, specify the quad map by name and number (e.g., Selawick B-3). To determine which quad maps to order, refer to Appendix C (Easement Map Index) for additional detailed information.

Using the application documents in the selection case file, verify that the selection pattern is correctly noted to the easement map. Although the selection is commonly less than an entire section, the easement map may show the entire section as selected.

If the selection is incorrectly depicted on the easement map, submit form AK 1500-8 and a paper copy of the easement map showing the corrections to T&LS for revision.

3 State

Prior to issuing the document to the corporation, determine corporate status by calling the State of Alaska, Department of Commerce and Economic Development, Division of Banking, Securities and Corporations at 563-2161. Identify the corporation by name and request its status (the information will be provided over the phone). Document the telephone call and status information in the case file and proceed as follows:

If the corporation is in good standing, continue with this process;

If the corporation is in non-compliance, continue the process but call the corporation and put it on notice that a conveyance cannot be issued to a dissolved corporation;

If the corporation has been dissolved, stop the process and order a copy of the Certificate of Dissolution for inclusion in the file. Notify the corporation and request that it take the necessary action to be reinstated. Inform them that a conveyance cannot be issued to a non-existent corporation and that no conveyances will be issued until the corporation has notified BLM that it is once again in good standing.

NOTE: For detailed information on corporation qualification requirements, refer to B-8 of the Application Review Process.

4 IC Preparation

Prepare the IC using the land description, reservations, and "subject to's" contained in the DIC. Use Glossaries 52a and 138a for standard wording using the appropriate options (cards) shown below:

Glossary 52a (Surface and Subsurface to Regional Corporation);

* IC Introduction	Card a
- Corporation Name	
- Authority	
- Land Description	
* Navigable/Submerged/Tidal Status	Cards b & c
* <i>Now Know Ye</i> Paragraph	Card d
* Reservations	Cards e & g
* Subject to's	Cards i-k and Card a of Glossary 138a
* Date/Signature Paragraph	Card m

For examples, refer to the bound books containing the most recently issued ICs found in the Division of Conveyance Management.

5 Applicant/Interested Parties

After the IC is signed and numbered, it is issued by certified mail to the regional corporation, all parties identified on the standard "cc" list, managing agencies in CSUs or the Forest Service if the lands are within their exterior boundaries and any other interested parties identified in the adjudicative process, along with a transmittal letter (Glossary 741a).

6 Post-IC Processes

a T&LS

Once the IC has been signed, make sure the "yellow dot" copy has been filed in the case file. Request T&LS to note the ICs to the records by completing a T&LS request form (AK 1275-20). Route the case file and the request form to T&LS for notation.

b Mineral Law

If mining claims or oil and gas leases or applications were involved in the ICd area, the Branch of Mineral Law (982) should have appeared on the "cc" list and received a copy of both the DIC and IC. A copy of the IC must be sent to (982) for them to take whatever actions are necessary to close or otherwise update their casetypes (including waiving administration).

c Land Resources

If the lands were previously withdrawn, the Withdrawal Staff in the Branch of Land Resources (932) should have appeared on the "cc" list and received a copy of both the DIC and IC. A copy of the IC must be sent to (932) for them to take whatever actions are necessary to close or otherwise update their casetypes.

d Waiver of Administration

For any use authorizations within the conveyance area, except for oil and gas leases prepare an appealable waiver of administration decision immediately after the IC is issued. See Illustration 3. The waiver should be addressed to both the corporation and the holder of the use authorization.

After the waiver decision becomes final, send the original case file to the appropriate District Office (DO). Identify whether the interest waived was entirely or partially on conveyed land. If all the lands were conveyed, request the DO to send a duplicate case file to the corporation, update the records and close the file.

If only a portion of the authorized use is on conveyed land, request the DO to send a copy of the appropriate portions of the case file to the corporation and update the records.

e Native Escrow

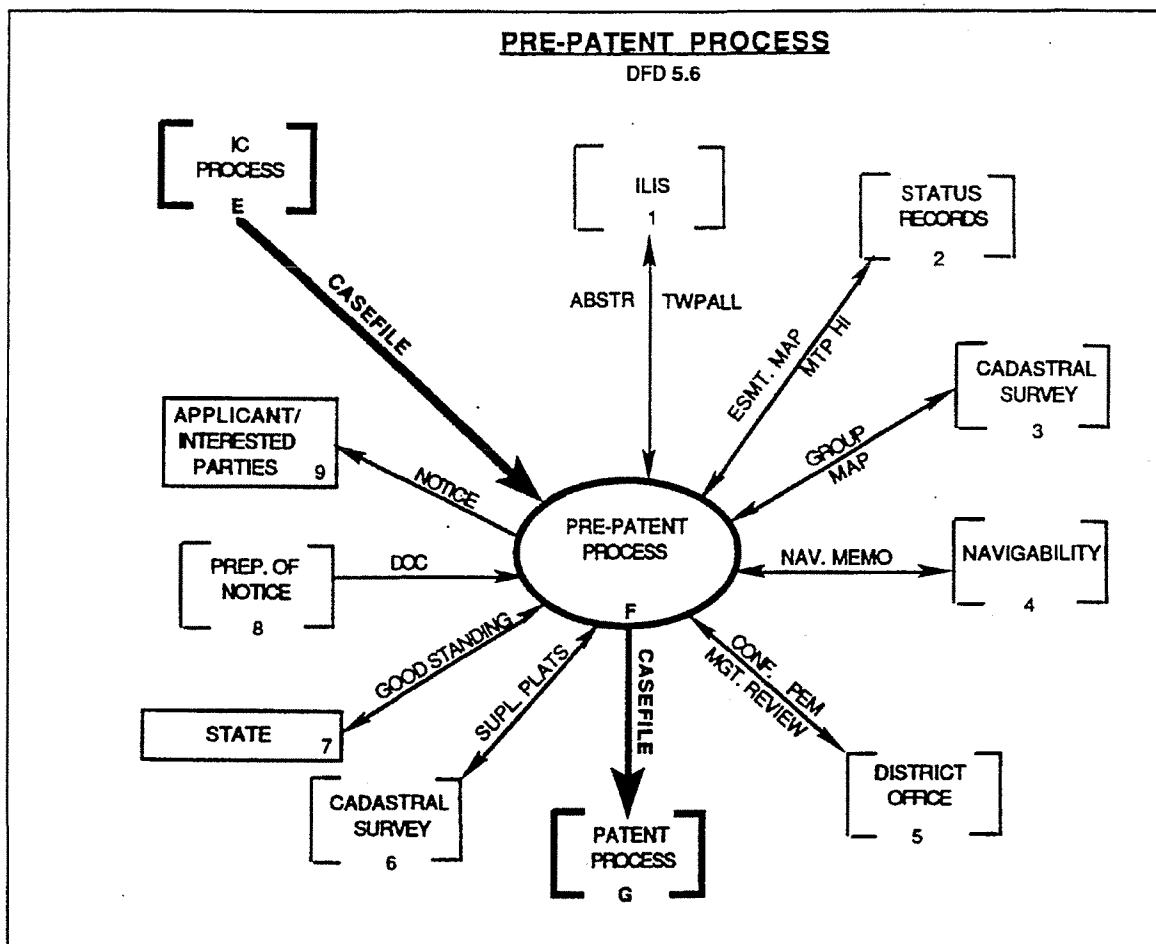
After the IC is issued and any waiver of administration decisions are final, forward any revenue generating case files and a copy of the IC to the Escrow Coordinator (961) for processing the payment of the escrow funds to the regional corporation.

If the ICd land is under the jurisdiction of another agency, such as the Forest Service, that agency should have appeared on the "cc" list and received a copy of both the DIC and IC. A copy of the IC must be sent to the agency responsible for disbursing any escrow funds they have collected to the regional corporation.

7 Acreage Control

Once the IC is issued, update any acreage control tracking systems in accordance with Branch policy.

NOTE: An ILIS Subsystem will be used to monitor conveyed acreage in the near future.



F Pre-Patent Process

Native corporations receive title to unsurveyed land by interim conveyance (IC). Conveyances made by IC are subject to confirmation of the boundary description of the lands after approval of survey, 43 CFR 2650.0-5(h). A patent for the lands confirming the boundary description and acreage may only be issued after survey has been completed and the approved plats filed.

This process is followed **only** if the lands to be patented have been previously conveyed by IC and a "confirmatory patent" is being issued after survey has confirmed the boundary description and acreage of the ICd lands.

If surveyed lands were approved for patent in the decision to issue conveyance (DIC), do not use the Pre-Patent Process. Go directly to the Patent Process (Chapter II-H) for guidance on preparing a patent.

NOTE: Many of the requests and actions required in the Pre-Patent Process are generated by the Patent Plan Process (PPP). For detailed information concerning PPP see Appendix E.

1 ILIS

Retrieve a current TWPALL and abstracts for the selection file and any associated case files. Check the TWPALL to verify that there are no new applications filed on the lands and whether the status of any associated files has changed.

When preparing to issue the patent, it will be necessary to update the case history abstracts and land description by adding the appropriate codes for any requests that are made. It may also be necessary to add any codes that were not entered during previous case processing or make corrections at this time.

To update a case abstract, refer to the allowable action code listing for the casetype. Submit corrections in accordance with Branch policy. It is suggested that the adjudicator make corrections directly on the abstract with red ink and submit to the Land Law Assistant (LLA) for coding. When completed, the LLA should return the marked-up original and the new corrected abstract to the adjudicator for review.

2 Status Records

a Survey Plat

Obtain a copy of the survey plat(s) and any U.S. Surveys or supplemental plat(s) for the patent area from the Public Room. The survey plats are filed in the case file with the MTP(s) and will help in determining whether the ICd lands can be patented.

b Master Title Plat (MTP)

Obtain a current MTP from the Public Room and write the "current to" date in the lower right hand corner using the date the plat was pulled and prepare a color-coded work plat for the subject lands. Verify that the status is correct and that the survey(s) are correctly noted on the MTP. If not correctly noted, send to T&LS with corrections using Form AK 1275-20 for updating. Place the corrected MTP in the case file. It is also suggested that the folded plats be noted on the lower right hand corner with the "current to" date, township and range, and survey status.

The work plat should show any actions, conflicting claims, inholdings, PLOs, third-party interests, etc., that may affect the lands to be patented. The work plat should also include a legend explaining what each color represents. For consistency, it is suggested that the following color code be used to depict status on the work plat:

Village-green: Selection (outline), IC (diagonal slash), Patent (solid);

Region-red: Selection (outline), IC (diagonal slash), Patent (solid);

State-yellow: Selection (outline), TA (diagonal slash), Patent (solid);

Other patented lands: Purple;

Native allotments: Brown (outline);

Withdrawals (PLOs): Orange (highlight);

Navigable/meanderable waters: Blue (solid);

Other colors can be used to depict mining claims, leases, homesteads, rights-of-way, etc., as necessary. Include them in the color legend.

In addition to color coding, it is advisable to document the facts related to any conflicting applications. Include any written explanations necessary to describe what has occurred by adding them directly onto the work plat to aid in preparing the confirmatory patent (e.g., has the selection been previously rejected as to each Native allotment within the patent area).

Carefully compare the new plats with the IC to determine whether any changes have occurred that affect the patent area. If changes have occurred, such as new applications being filed on the lands, it may be necessary to postpone issuing the patent until the matter is resolved. The need for taking such actions must be determined on a case-by-case basis.

Using a calculator, prepare an acreage tape identifying the lands to be patented section-by-section and attach to the remarks column of the MTP.

c Historical Index (HI)

Review the HI in the Public Room and verify it against the case file copy. If anything has changed affecting the patent area, replace the existing copy with a new HI.

d Easement Maps

Request the easement case file from Docket using a case file request form (AK 1274-20).

Request blackline work copies of the easement map(s) for the selection area from T&LS using an ANCSA reproduction request form (AK 1500-8). When ordering easement maps, specify the quad map by name and number (e.g., Selawick B-3). To determine which quad maps to order, refer to Appendix C (Easement Map Index) for additional detailed information.

Using the application and conveyance documents in the selection case file, verify that the selection and conveyance patterns are correctly noted to the easement map. It is recommended that the work map be noted to reflect any amendments, relinquishments, or rejections using the suggested color code as shown above.

If the selection or conveyance is incorrectly depicted on the easement map, submit form AK 1500-8 and a paper copy of the easement map showing the corrections to T&LS for revision.

3 Cadastral Survey

It is suggested that a group map be obtained and used to depict the overall status

for the region using the color codes recommended under **Status Records** in this process.

4 Navigability

The Submerged Lands Act of May 22, 1953, P. L. 31, 43 U.S.C. 1391, provided that title to the land beneath navigable water bodies in Alaska would pass to the State at the time of statehood unless reserved to the U.S. The Navigability Section (924) reviews water bodies and makes navigability recommendations. Lakes less than 50 acres in size and rivers less than 3 chains wide which are determined navigable are identified in a navigability report. The State-owned submerged lands can then be excluded from the patent and not charged against the Native corporations' acreage entitlement.

In February of 1987, the standards used by BLM to determine navigability were redefined as a result of an appeal concerning navigability of the Gulkana River. The District Court determined that streams and rivers suitable for watercraft carrying a commercial quantity of goods (about a thousand pounds or more of cargo) are potentially navigable, Alaska v. United States et al., No. A80-359 Civil (D. Alaska 1987). The so-called "Gulkana Standard" was subsequently upheld by the Ninth Circuit Court of Appeals in December of 1989, State of Alaska v. Ahtna, Inc., 891 F.2d 1401 (9th Cir. 1989).

If the lands were ICd before February of 1987, navigable water bodies were identified in the decision and subsequent IC based on the pre-Gulkana criteria. BLM cannot review previously ICd lands and issue a navigability redetermination using the new Gulkana standards unless permission is granted by the land owner. The regional corporation must give permission before BLM can issue a redetermination.

Review the selection files to ascertain whether the corporation has been asked if it wants a navigability redetermination. If it has never been afforded the opportunity for a redetermination, use Glossary 762a to ask the corporation if it wants a redetermination.

If the corporation has requested a redetermination, verify that the redetermination has been completed for all the lands to be patented and that a copy of the redetermination is in the file. If there is no file copy, request one from the Navigability Section (924). If the corporation refused to give permission, proceed to patent without a redetermination.

If the lands were ICd after February of 1987, navigable water bodies were not specifically named in the decision or subsequent IC. BLM deferred such action by making an exclusion statement in the IC. See glossary 52a, card b for details.

Review the selection files to determine if a navigability report has been filed. If there is no report in the file, request one from the Navigability Section (924).

NOTE: Navigability reports and redeterminations are completed based on the PPP. Refer to Appendix F for detailed information on the PPP.

5 District Office (DO)

a Patent Easement Memo (PEM)

Prior to issuing a confirmatory patent for ICd lands which have been surveyed, the DO must review all easements previously reserved to the U.S. pursuant to Sec. 17(b) of ANCSA and issue a PEM. District Office procedures for preparing the PEM are outlined in detail in IM AK-974-09 (change 2) dated January 24, 1989.

Request a PEM from the DO by memorandum including the following information:

Line item number from the DO easement report, if DO uses this method of tracking;

The land description of that portion of the IC(s) to be reviewed;

The date or timeframe that the completed PEM is required;

The PPP window number if there is one identified.

Early guidelines for Sec. 17(b) easements allowed U.S. reservations for recreational, shoreline, ditches and canals, railroads, and telegraph and telephone lines, among others. These guidelines were challenged by the Native corporations in 1975 and successfully litigated. As a result, new easement regulations were issued on November 27, 1978 prohibiting such easements.

Prior to issuing a confirmatory patent for lands ICd with easements reserved under the old standards, the DO must review and eliminate any easements that do not conform with the 1978 regulations. Patent cannot be issued until all easements have been conformed by the DO.

The DO also reviews all easements previously reserved within ICd lands after survey and makes any necessary corrections, either to the easement maps or the easement description, before the patent is issued.

NOTE: If both selected and ICd lands are included in the survey and the selected lands are identified for conveyance to the corporation, follow the Pre-Decision Process (Chapter II-C) for requesting easement identification on the selected lands at this time. After the easements are received, the selected lands may then be approved for patent in a decision. Barring any complications (appeals, etc.) the lands approved for patent in the decision can be included in the confirmatory patent with the previously ICd lands.

6 Cadastral Survey

Review the records to determine if supplemental survey plats are needed and request them at this time. For example, supplemental plats may be required to exclude a conflicting claim or to adjust hydrography as a result of a navigability redetermination.

7 State

Prior to issuing the document to the corporation, determine corporate status by calling the State of Alaska, Department of Commerce and Economic Development, Division of Banking, Securities and Corporations at 563-2161. Identify the corporation by name and request its status (the information will be provided over the phone). Document the phone call and status information in the case file and proceed as follows:

If the corporation is in good standing, continue with this process;

If the corporation is in non-compliance, continue the process but call the corporation and put it on notice that a conveyance cannot be issued to a dissolved corporation;

If the corporation has been dissolved, stop the process and order a copy of the Certificate of Dissolution for inclusion in the file. Notify the corporation and request that they take the necessary action to be reinstated. Inform them that a conveyance cannot be issued to a non-existent corporation and that no conveyances will be issued until the corporation has notified BLM that it is once again in good standing.

NOTE: For detailed information on corporation qualification requirements, refer to B-8 of the Application Review Process.

8 Preparation of Notice

Use the following procedures when issuing a confirmatory patent for lands previously conveyed by IC to a Native corporation. These procedures are separate and apart from those for surveyed lands which need not be ICd prior to patent:

?Check whether all of these apply to 14(h)(1)?

a General Information

A confirmatory patent for lands previously ICd to a Native corporation will be drafted after the ICd lands are surveyed and the plats are officially filed.

A confirmatory patent may include lands or portions of lands from one or more ICs issued to the same corporation. The IC(s) will be identified by number and date of issuance. Recording information may also be included, if available.

Surveyed land selected by the corporation and prioritized for conveyance but not previously ICd may be included in the confirmatory patent only after the land has been approved for patent in a decision (see Decision Process Chapter V-E).

Prepare a Notice of Intent to Issue Patent covering all lands to be patented in the draft confirmatory patent. Include the following information in the notice:

Identify any ICd lands which the corporation has reconveyed to the U.S.;

State whether or not all necessary title affirmations for surveyed inholdings have been executed within the ICd area being patented;

Address any township grid shifts which have occurred between IC and patent as a result of survey;

Identify acreage chargeability;

State whether or not any easements have changed as a result of easement review(s);

Identify any changes in reservations or "subject to's" that have occurred between IC and patent;

State whether or not any changes in navigability determinations have been made; and

Explain any typographical changes, such as the correction of a misspelled name or an erroneously typed number, which have occurred between IC and patent.

b Disposal of ICd Lands by Native Corporations

The corporation may have disposed of some or all of its ICd lands prior to receipt of a confirmatory patent which may affect the lands described in the confirmatory patent.

If all interest in any of the ICd land was transferred from the corporation to the U.S., do not include the land description in the confirmatory patent. To do so could be misunderstood to indicate that the transferred land is being patented to the corporation. Include an explanation of the land transferred to the U.S. in the notice.

If only a portion of the estate in the ICd lands was transferred from the corporation to the U.S., (e.g., the U.S. acquired a partial estate, such as a scenic easement) include the legal description of the lands in the confirmatory patent and reserve the scenic easement (or other acquired interest) to the U.S. in the document. Include an explanation of the interest transferred to the U.S. in the notice.

c Inholdings

Inholdings are pending or approved applications of record for lands which may conflict with selections made by the corporation (e.g., Native allotments). Inholdings were excluded from the IC based on their location on the MTP at time of conveyance. As a result of survey, inholdings may no longer be located as originally shown on the MTP at time of IC.

Surveyed inholdings may "move" drastically from the location originally described in the IC. The degree of inholding "movement" will determine the manner in which the confirmatory patent is processed.

If an inholding was ever excluded in any IC issued to the corporation, it will not be included in a confirmatory patent after survey. If the inholding was excluded from any IC issued to the corporation in a location other than where it appears on the plat of survey at the time of patent, the former location of the inholding will be conveyed to the corporation in the confirmatory patent without further adjudication.

If the surveyed inholding remains anywhere within the section from which it was excluded in the IC, the confirmatory patent will not include the inholding and the remainder of the section will be included as described in the survey. No additional steps are required in this case.

If the inholding appears on the plat of survey but was never excluded in any location from any IC issued to the corporation, the confirmatory patent will include the lands within the inholding. If the inholding is later determined to be a valid claim that BLM should have granted, title to the land must be recovered from the corporation and conveyed to the claimant (see Title Recovery Handbook for specific procedures).

If an inholding was excluded from any IC to the corporation but moves out of the section onto any other lands ICd to the corporation after survey, request concurrence from the corporation as to the new location using Glossary 566a (Title Affirmation on Survey of Inholdings).

Once executed, the title affirmation permits conveyance of surveyed tracts of land to private applicants and eliminates any questions of title conflicts with the corporation.

It is necessary to execute all required title affirmations concerning survey of inholdings within the IC area prior to issuance of the notice for the confirmatory patent.

d State Surveys

State of Alaska surveys which have been approved by BLM may be used as a land description in patents. However, the MTPs must reflect and identify such State surveys.

e Township Grid Shifts

Because the protraction diagrams and quadrangle maps upon which the selections were made depict unsurveyed lands, the location of the township and section lines shown were only approximate. As a result of survey, significant grid shifts within the conveyance area may have occurred.

A major purpose of providing the notice, draft confirmatory patent and plat of survey is to notify the corporation of significant grid shifts in the conveyance area. Although some shift will occur in almost every case, the selection is deemed to have been of the surveyed section, not the section as approximated on a quad or other map.

In most cases the shift will be minimal or insignificant. However, if there are significant changes between the selection and the conveyance as surveyed, equitable adjustments may be made in the patent.

For example: Where the selection was assumed to include lands along a coastline but the survey places the coastline in lands the selection map showed offshore, the confirming patent will include the lands containing the coastline.

Where a significant topographic feature (river, mouth, inlet, promontory, harbor, etc.) moves outside of a selected section and the adjoining section is available (i.e., withdrawn for Native selection and otherwise unreserved and unappropriated public land), the entire topographic feature may be included in the conveyance with the corporation's consent, and provided other public values or private rights are not affected, and provided it does not result in a conveyance in excess of the corporations' entitlement.

f Lands for Conveyance

The confirmatory patent will include and charge against entitlements (except in certain specific exchange areas), only "uplands." Uplands are depicted on the plat of survey and do not include the submerged lands of meandered water bodies.

g Hydrography

Where water lots are shown on plats of survey, the corporation may request conformance pursuant to the 1973 Manual of Survey Instructions, as revised by 43 CFR 2650.5-2. Any request for conformance will be forwarded to Cadastral Survey (920).

h Easements

A listing of all easements affecting the lands will be prepared by the appropriate DO for inclusion in the patent. Easements will be described to match the survey description.

Any easements which were excepted and reserved in the IC(s) which have been deleted through the conformance process will not be listed in the confirmatory patent.

Any easements which have been donated to the U.S. will be excepted and reserved in the confirmatory patent.

Adjustments, realignments, vacations or exchanges of reserved easements that have been negotiated with the land owner may be included in the notice. These changes in easement location would be a means of correcting impassable, disconnecting or duplicative easements that were originally reserved without benefit of field investigation. Final easements resulting from this process will be excepted and reserved in the confirmatory patent

i Reservations

All reservations included in the IC(s) will be listed in the confirming patent, except for those which were subsequently vacated by the U.S. (e.g., ditches and canals, railroad and telegraph lines, right to enter upon lands and survey).

Any rights-of-way which should have been listed in the "subject to" portion of the IC but were excepted and reserved instead, will be listed as "subject to" interests in the confirmatory patent. An explanation of the change will be included in the notice.

Any use authorizations (e.g., leases, contracts, rights-of-way, etc.) identified under "subject to's" in an IC which are documented to have expired will not be included in the confirmatory patent.

j Navigability

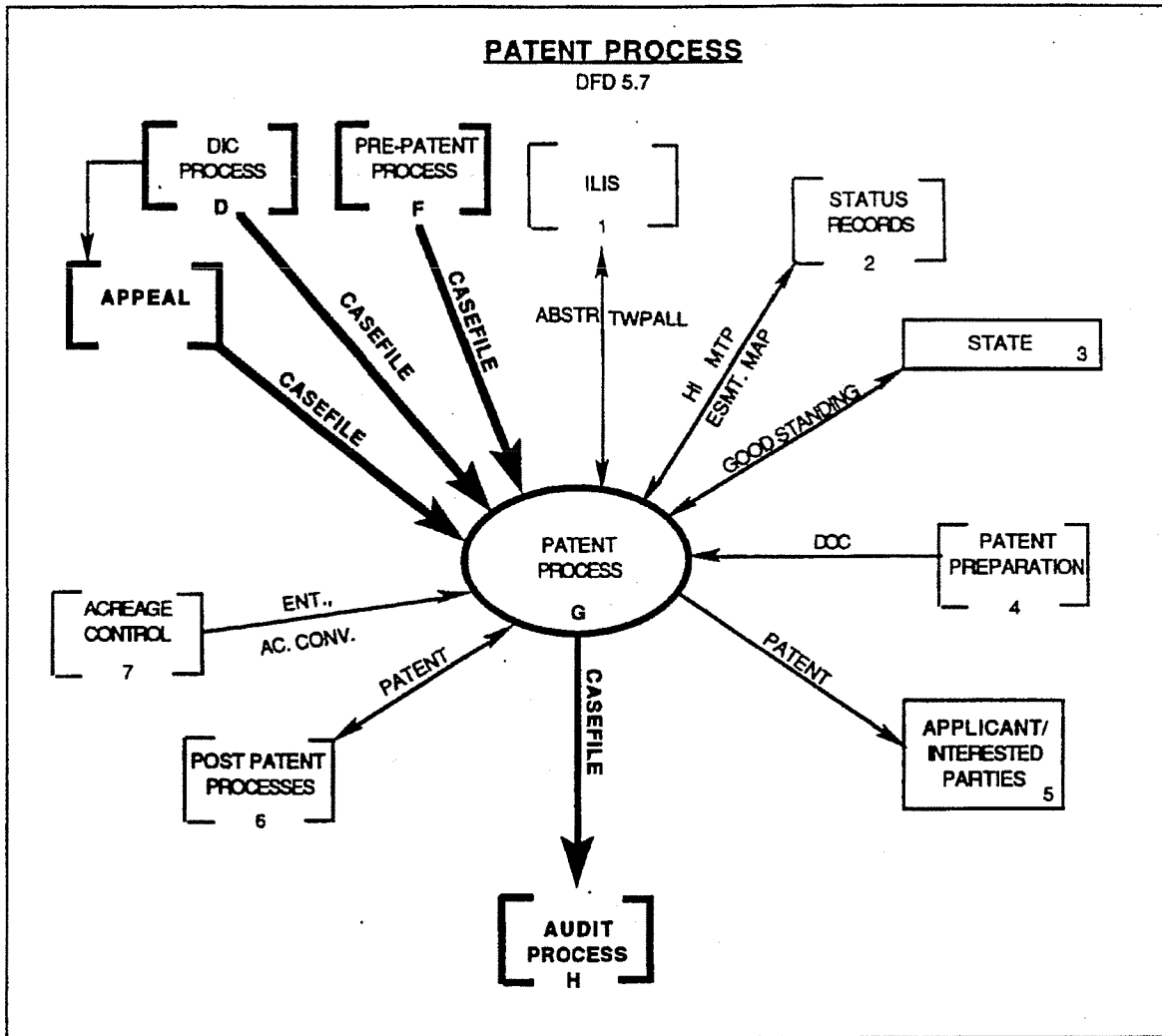
The notice will state whether or not BLM navigability determinations made prior to issuance of the IC(s) remain unchanged (i.e., changes by decision of the IBLA or by a court of competent jurisdiction, or by a redetermination requested by the corporation) and that the lateral extent of navigability or tidal influence was clarified by survey.

9 Applicant/Interested Parties

The notice will be issued by certified mail to the regional corporation with certified mail copies to the State of Alaska, adjacent landowners, and any additional parties whose interests are known. Managing agencies in CSUs and the Forest Service are sent copies where lands are within their exterior boundaries.

The notice will allow sixty (60) days from the date of certified receipt for the corporation and other parties to provide written comments. The notice will not contain an appeal paragraph or be published in the Federal Register or any newspaper.

A thirty (30) day notice will be issued where substantive changes or errors are found regarding the survey or patent issues addressed in the original 60-day notice. The 30-day notice will be issued by certified mail to the regional corporation with certified mail copies to all other parties listed in the original notice.



G Patent Process

Sec. 14 of ANCSA states that a patent will be issued to a qualified Native corporation for the lands to which it is entitled. A patent cannot be issued until the lands have been surveyed. This process is followed only if the selected lands were adequately surveyed and approved for patent to the corporation in a decision which has become final.

If a decision approved selected land for conveyance to the corporation which was either unsurveyed or for which the existing survey was inadequate to properly describe the land and title was subsequently conveyed to the corporation by interim conveyance (IC), begin with the Pre-Patent Process for guidance on issuing a confirmatory patent.

1 ILIS

Retrieve a current TWPALL and abstract for the selection file. When issuing the patent, it will be necessary to update the case history abstract and land description by adding the appropriate codes. It may also be necessary to add any codes that were not entered during previous case processing or make corrections at this time.

To update a case abstract, refer to the allowable action code listing for the casetype. Submit corrections in accordance with Branch policy. It is suggested that the adjudicator make corrections directly on the abstract with red ink and submit to the Land Law Assistant (LLA) for coding. When completed, the LLA should return the marked-up original and the new corrected abstract to the adjudicator for review.

NOTE: It is the adjudicator's responsibility to ensure the accuracy of ILIS data.

2 Status Records

a Survey Plat

Obtain a copy of the survey plat(s) and any U.S. Surveys or supplemental plat(s) for the patent area from the Public Room.

b Master Title Plat (MTP)

Prior to issuing the patent, it is critical to review the MTP and survey plats to insure that the status is current and that no changes have occurred since the decision or notice was issued. Go to the Public Room and pull the appropriate aperture cards to verify that the date of the last status update has not changed from that of the work plat and that the survey(s) are correctly noted on the MTP. If not correctly noted, send to T&LS with corrections using Form AK 1275-20. Place the corrected MTP in the case file.

The work plat should show any actions, conflicting claims, inholdings, PLOs, third-party interests, etc., that affect the lands to be patented. The work plat should also include a legend explaining what each color represents. For consistency, it is suggested that the following color code be used to depict status on the work plat:

Village-green: Selection (outline), IC (diagonal slash), Patent (solid);

Region-red: Selection (outline), IC (diagonal slash), Patent (solid);

State-yellow: Selection (outline), TA (diagonal slash), Patent (solid);

Other patented lands: Purple;

Native allotments: Brown (outline);

Withdrawals (PLOs): Orange (highlight);

Navigable/meanderable waters: Blue (solid);

Other colors can be used to depict mining claims, leases, homesteads, rights-of-way, etc., as necessary. Include them in the color legend.

In addition to color coding, it is advisable to document the facts related to any conflicting applications. Include any written explanations necessary to describe what has occurred by adding them directly onto the work plat to aid in preparing the patent.

Carefully compare the plats with either the decision from the DIC Process or the notice from the Pre-Patent Process (as appropriate) to determine whether any changes have occurred that affect the patent area. If there have been no changes, proceed in the Patent Process.

If there has been a change, carefully compare the new MTP and the work plat to determine whether it affects the patent area. It may not be necessary to update the work plat if there have been no changes to the pertinent status. If changes have occurred which affect the lands to be patented, such as new applications being filed on the lands, it may be necessary to postpone issuing the patent until the matter is resolved. In such cases, it may be necessary to modify the decision in the DIC Process or notice in the Pre-Patent Process or take some other action as determined on a case-by-case basis before issuing the patent.

Using a calculator, prepare an acreage tape identifying the lands to be patented section-by-section and attach to the remarks column on the MTP.

c Historical Index (HI)

Review the HI in the Public Room and verify it against the case file copy. If anything has changed affecting the patent area, replace the existing copy with a new HI.

d Easement Maps

Request the easement case file from Docket using a case file request form (AK 1274-20).

Request blackline work copies of the easement map(s) for the selection area from T&LS using an ANCSA reproduction request form (AK 1500-8). When ordering easement maps, specify the quad map by name and number (e.g., Selawick B-3). To determine which quad maps to order, refer to Appendix C (Easement Map Index) for additional detailed information.

Using the application and conveyance documents in the selection case file, verify that the selection and conveyance patterns are correctly noted to the easement map. It is recommended that the work map be noted to reflect any amendments, relinquishments or rejections using the suggested color code as shown above.

If the selection or conveyance is incorrectly depicted on the easement map, submit form AK 1500-8 and a paper copy of the easement map showing the corrections to T&LS for revision.

3 State

Prior to issuing the document to the corporation, determine corporate status by calling the State of Alaska, Department of Commerce and Economic Development, Division of Banking, Securities and Corporations at 563-2161. Identify the corporation by name and request its status (the information will be provided over the phone). Document the phone call and status information in the case file and proceed as follows:

If the corporation is in good standing, continue with this process;

If the corporation is in non-compliance, continue the process but call the corporation and put it on notice that a conveyance cannot be issued to a dissolved corporation;

If the corporation has been dissolved, stop the process and order a copy of the Certificate of Dissolution for inclusion in the file. Notify the corporation and request that it take the necessary action to be reinstated. Inform them that a conveyance cannot be issued to a non-existent corporation and that no conveyances will be issued until the corporation has notified BLM that it is once again in good standing.

NOTE: For detailed information on corporation qualification requirements, refer to B-8 of the Application Review Process.

4 Patent Preparation

Prepare the patent using the land descriptions, reservations, and subject to's as stated in the decision prepared in the DIC Process. If the lands have been previously conveyed by IC use the land description, reservations and "subject to's" contained in the notice prepared in the Pre-Patent Process. Use Glossary 88a for the surface and subsurface estate patent to the regional corporation. For standard wording use the appropriate options (cards) shown below:

Glossary 88a (Surface and Subsurface Estates to Regional Corporation):

- | | |
|--------------------------------|-------------|
| * Patent Introduction | Card a |
| - Corporation Name | |
| - Authority | |
| - Land Description | |
| * <i>Now Know Ye</i> Paragraph | Card b |
| * Reservations | Cards c & e |
| * Subject to's | Card g |

5 Applicant/Interested Parties

After the patent is signed and numbered, it is issued by certified mail to the to the regional corporation, those entities identified on the standard "cc" list, and any other interested parties identified in the adjudicative process, along with a transmittal letter

(Glossary 741a). Managing agencies in CSUs and the Forest Service are sent copies where lands are within their exterior boundaries. A copy of the easement map(s) stamped with the patent number should accompany the patent.

6 Post-Patent Processes

a Title and Land Status (T&LS)

Once the patent has been signed, make sure the "yellow dot" copy has been filed in the case file. Request T&LS (973C) to note the patents to the records by completing a T&LS request form (AK 1275-20). Route the case file and the request form to T&LS for notation to the records.

b Mineral Law

If mining claims or oil and gas leases or applications were involved in the patent area, the Branch of Mineral Law (982) should have appeared on the "cc" list and received a copy of the patent. A copy of the patent must be sent to (982) for them to take whatever actions are necessary to close or otherwise update their casetypes (including waiving administration).

c Land Resources

If the lands were previously withdrawn or were originally part of an ANCSA Sec. 3(e) determination, the Withdrawal Staff in the Branch of Land Resources (932) should have appeared on the "cc" list and received a copy of the patent. A copy of the patent must be sent to (932) for them to take whatever actions are necessary to close or otherwise update their casetypes.

d Waiver of Administration

For any use authorizations (Except for oil and gas leases) within the patent area, prepare an appealable waiver of administration decision immediately after the patent is issued. See Illustration 3. The waiver should be addressed to both the corporation and the holder of the use authorization.

After the waiver decision becomes final, send the original case file to the appropriate District Office (DO). Identify whether the interest waived was entirely or partially on patented land. If all the lands were patented, request the DO to send a duplicate case file to the corporation, update the records and close the file.

If only a portion of the authorized use is on patented land, request the DO to send a copy of the appropriate portion of the case file to the corporation and update the records.

NOTE: If the lands have been previously ICd, an appealable waiver decision should have already been issued for any affected use authorizations and no additional action should be required at the time of confirmatory patent.

e Native Escrow

After the patent is issued and any waiver of administration decisions are final, forward any revenue generating case files and a copy of the patent to the Escrow Coordinator (961) for processing the payment of the escrow funds to the corporation.

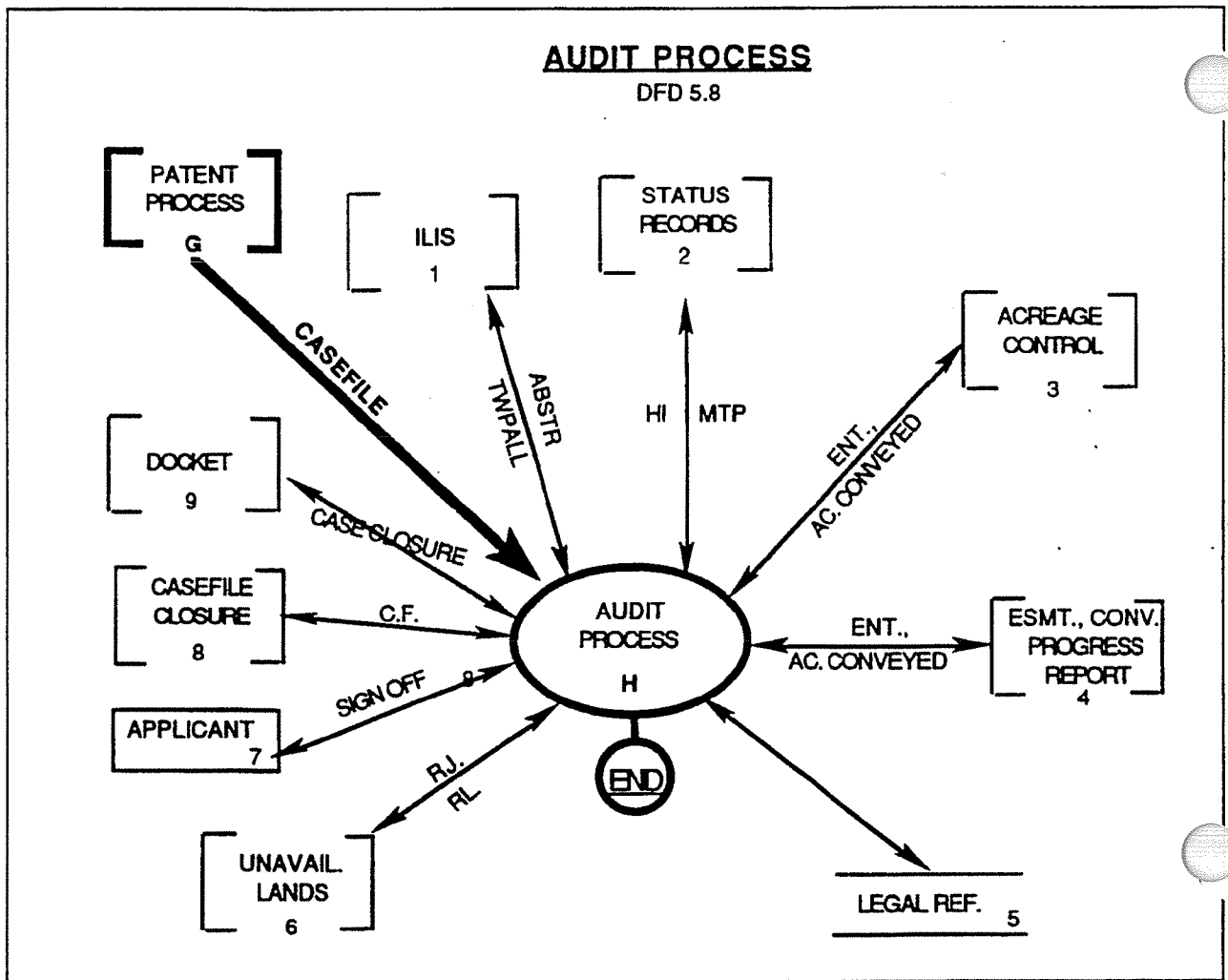
If the patented land is under the jurisdiction of another agency, such as the Forest Service, that agency should have appeared on the "cc" list and received a copy of the patent. A copy of the patent must be sent to the agency responsible for disbursing any escrow funds they have collected to the corporation.

NOTE: If the lands have been previously ICd, the escrow process should have already been completed for any affected revenue generating cases and no additional actions should be required at time of confirmatory patent.

7 Acreage Control

Once the patent is issued, update any acreage control tracking systems in accordance with Branch policy.

NOTE: An ILIS subsystem will be used to monitor conveyed acreage in the near future.



H Audit Process

The audit is the final step in the conveyance process. Begin this process when all of the regional ANCSA Sec. 14(h)(1) selection applications have been adjudicated and either patented, relinquished or rejected.

1 ILIS

Retrieve a current TWPALL and abstracts for the selection file(s). In the Audit Process it will be necessary to update the case history abstracts by adding the audit codes. It may also be necessary to add any land description or history code updates that were not entered during previous case processing or make corrections at this time.

To update a case abstract, refer to the allowable action code listing for the casetype. Submit corrections in accordance with Branch policy. It is suggested that the adjudicator make corrections directly on the abstract with red ink and submit to the Land Law Assistant (LLA) for coding. When completed, the LLA should return the marked-up original and the new corrected abstract to the adjudicator for review.

NOTE: It is the adjudicator's responsibility to ensure the accuracy of ILIS data.

2 Status Records

During the Audit Process, it is critical to review the MTP to insure that the status is current. Go to the Public Room and pull the appropriate aperture cards to verify that the date of the last status update has not changed from that of the work plat. If there has been a change, update the work plat.

3 Acreage Control

Verify the total acreage patented to the corporation by tabulating the acreage of the legal land description described in each document and verifying it against the MTPs and survey plats for each conveyance. Compare the total cumulative acres patented to the corporation with its Sec. 14(h)(1) entitlement (adjusted for any limitation that may apply) to determine how many acres, if any, remain after all applications have been processed.

NOTE: If the patented acreage is less than the allocation, request that the corporation relinquish the excess acreage in accordance with the ?month/day/year agreement between the Bureau of Land Management and the Alaska Federation of Natives?.

4 Easement/Conveyance Progress Report (ECPR)

The ECPR contains information on all conveyances issued to the corporation while AALMRS was in existence. The information in this report can assist the adjudicator in verifying the conveyance information.

5 Legal References

The legal references pertaining to regional selections are found in the Alaska Native Claims Settlement Act and its amendments, subsequent laws, the U.S. Code of Federal Regulations, and various public land orders. For the final audit, review any legislation that may have affected final entitlement. Specific acts, agreements, or orders affecting a corporation are listed in Appendix A.

6 Unavailable Lands

If it is determined that the region has reached full entitlement before all applications have been adjudicated, any remaining selections applications must be either relinquished or rejected. In accordance with Branch policy, either request the corporation to relinquish any remaining land selections or prepare a decision rejecting the application(s).

7 Applicant

If the corporation has reached entitlement and/or all selection applications have been adjudicated, and any excess allocation has been relinquished, a sign-off sheet will

be completed indicating that final entitlement has been satisfied. The sign-off sheet will be signed by designated representatives for the corporation and BLM. A copy of the sign-off sheet will be incorporated in the appropriate case file(s).

8 Case File Closure

A selection file will be closed when there are no lands remaining within the selection application. If the corporation has reached entitlement, the selection file(s) will be closed if:

All lands within a selection application have been patented, relinquished, or rejected;

A relinquishment is filed for all remaining lands in a selection application;

A decision rejecting all remaining lands within a selection application becomes final.

NOTE: A selection file can be closed when all lands within the application have been patented, relinquished or rejected regardless of whether the corporation has reached entitlement.

Prior to case closure, review the file and update the status records as follows:

a Abstract

Verify that the case status and all required history action codes and township information for the case have been properly coded into the ILIS.

To update a case abstract, refer to the allowable action code listing for the casetype. Submit corrections in accordance with Branch policy. It is suggested that the adjudicator make corrections directly on the abstract with red ink and submit to the Land Law Assistant (LLA) for coding. When completed the LLA should return the marked-up original and the new corrected abstract to the adjudicator for review.

NOTE: It is the adjudicator's responsibility to ensure the accuracy of ILIS data.

b Master Title Plat (MTP)

Verify all MTP notations and request Title and Land Status (T&LS) to make any necessary changes. The selection application must be removed from the MTP for any lands relinquished or rejected. The patent number and reservations must be noted to the MTP if the lands have been patented.

If changes to the MTP are required, complete Form AK 1275-20 and route the case file to T&LS for updating. On the case file route sheet, indicate the file be returned to the adjudicator after the corrections have been made. Upon receipt of the case file from T&LS, review the plat and verify that the notations are complete.

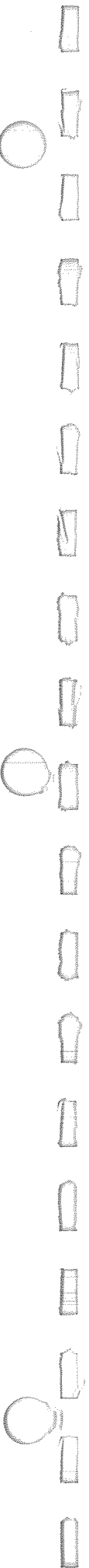
c Historical Index (HI)

Request T&LS to note any ICs or patents to the HI and whether such action resulted in closure of the case file. Rejections and relinquishments are not on the HIs.

If changes to the HI are required, complete Form AK 1275-20 and route the case file to T&LS for updating. On the case file route sheet, indicate the file be returned to the adjudicator after the corrections have been made. Upon receipt of the case file from T&LS, review the HI and verify that the notations are complete.

9 Docket

Route the case file to Docket with instructions that it be closed.



ANCSA HANDBOOK

CHAPTER 6

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CHAPTER VI

VI REGIONAL SELECTIONS: (14(h)(6)) BACKGROUND INFORMATION

Section 14(h) of the Alaska Native Claims Settlement Act (ANCSA) authorizes the Secretary to withdraw and convey 2 million acres of unreserved and unappropriated public lands located outside the areas withdrawn by Secs. 11 and 16.

Subsection 14(h)(6) states that the Secretary will charge all Native allotments approved during the four years following the date of enactment against the 2 million acre grant provided for in subsection 14(h).

In order to determine the acreage to be charged against the 2 million acres, all Native allotments that met the criteria needed to be identified. An initial audit was done in 1978 and a more thorough audit was completed in 1983. The results were summarized in a document entitled AUDIT SUMMARY, ANCSA SECTION 14(h)(6) ACREAGE, July 1983. Each Branch in the Division of Conveyance Management should have at least one copy of this document. Copies can be obtained from the Branch of Conveyance Coordination (961).

The report identified 1,337 Native allotment case files approved between December 18, 1971 and December 18, 1975 for a cumulative total of 184,663.21 acres of Native allotments to be charged against the acreage provided for in Sec. 14(h)(6) of ANCSA. The final totals were published in the August 16, 1983 Federal Register, Vol. 48, No. 159, page 37086. BLM does not have any plans to do another audit and adjust the acreage charge that was established in 1983.

Included in the report is a memorandum describing the audit project and the criteria that was used. The definition of "approved" included the following three categories of action codes that were considered:

Native Allotment parcels that were approved during the four year period;

Native Allotment parcels where a certificate of allotment was issued during the four year period; and

Native Allotment parcels where a request for survey was made during the four year period.

The project used a strict interpretation of the definition of "approved" as stated in 43 CFR 2653.1(a)(3). The "Request for Survey" was always used as the critical approval date when it was precipitated by a determination that the applicant was entitled to the land. "Requests for Survey," beginning in 1973, were generally accompanied by an approval letter to the applicant stating that he/she had met the requirements for a Native allotment. For "Requests for Survey" prior to 1973, the actual wording on the request, as well as preceding documentation (such as favorable field reports) were used to determine the reason behind the request.

In many instances there were never case specific "Requests for Survey" because the land had already been surveyed or was in the process of being surveyed at the time of approval. In other case specific instances, "Requests for Survey" were generated for exclusion purposes only and did not imply approval of the application. In these cases where a "Request for Survey" date could not be used, the earliest clear, formal document showing that a determination had been made that the Native allotment met the criteria of the law was used for the approval date. Approval letters to the applicant, formal decisions, or certificates of allotment were counted. A favorable field report alone was not considered to be strong enough documentation of approval.

As a result of the audit, each Native allotment case file counted in the acreage total has either action code 562 (Acre Charge: 14(h)(6)) or 563 (Acre Charge/Part: 14(h)(6)) added to its ILIS case history abstract data. The information can be retrieved in various report formats (e.g., by Native region).

Note: Inclusion of the action codes in the case history abstract also provides a starting point for implementing Sec. 1406 of ANILCA which allows for the conveyance of minerals reserved to the U.S. beneath Native allotments during this time frame to the appropriate regional corporation. Any certificated Native allotment with action code 562 or 563 in the case history abstract with retained mineral rights should be reviewed for possible conveyance of the retained mineral rights to the appropriate regional corporation.

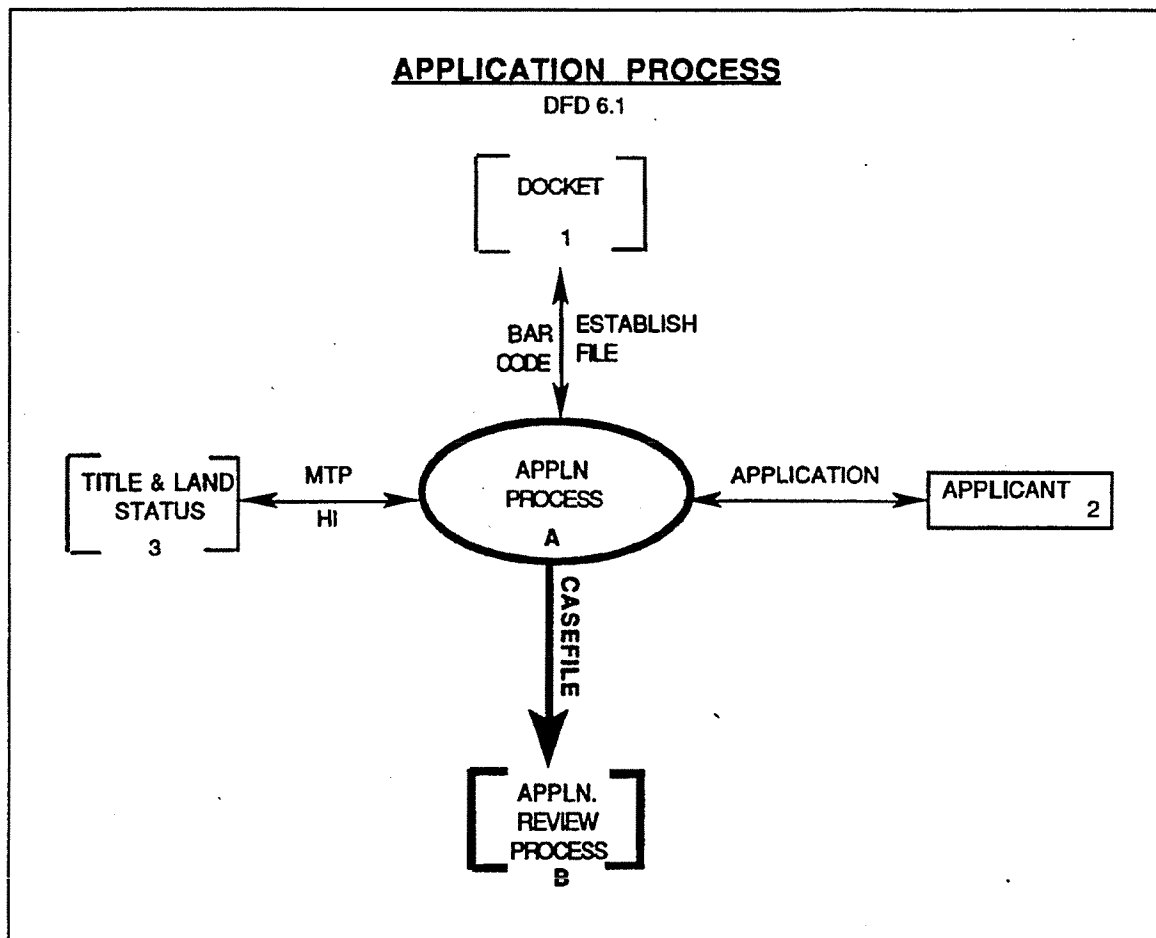
The audit also indicated that, due to time constraints, there may have been some files that were not reviewed. There will be a point in time that a review of the computer data should be initiated for each region to make sure that all of the parcels that met the criteria are identified.

The audit revealed that there is a great variation in the numbers by region. The number of case files ranges from a low of 2 in Chugach to a high of 359 in Doyon. The number of parcels in a region may dictate how these parcels are to be adjudicated. It may be reasonable to adjudicate these at the same time that the Native allotment certificate is being issued, or at some later date. Where there are larger numbers of parcels it may be appropriate to process all of the known parcels within one township, within one window, or by some other grouping. Due to the wide variation in the number of parcels within regions, this decision will have to be made on a case by case basis.

If no actions have been taken on any of the Sec. 14(h)(6) parcels and the Branch is attempting to analyze the current status, it may be necessary to inventory the status of the case files identified in the 1983 Audit. See Illustration 15 for an inventory sheet being used by the Calista Branch.

Another issue is, "What do we do if an 80 acre allotment parcel was approved for 40 acres in 1974 and the remainder of the parcel was approved in 1984? Prior to issuing the Certificate, the parcel was surveyed as a USS. Do we consider the entire parcel as qualifying under Sec. 14(h)(6) or not? Indications are, that Action Code 563 may identify these situations but whether additional survey is needed to issue patent to the reserved minerals.

NOTE: This question still need to be addressed in the near future.



A Application Process

Because there is no "entitlement", the reserved minerals beneath Native allotments for which a survey request has been filed or which have been approved or certificated between December 18, 1971 and December 18, 1975 were not "applied for" as in other ANCSA casetypes. Lands conveyed pursuant to Sec. 14(h)(6) do not require an application by the regional corporation. Instead, certain conditions must be met before the regional corporation can acquire title to the reserved Native allotment mineral estate. The process is contingent on the certification of Native allotments and therefore requires no action on the part of the regional corporation.

1 Docket

Case files were established for each region in Docket at the request of the Division of Conveyances during the mid-1980s.

The following is a list of Sec. 14(h)(6) case files established for each region within casetype 2653.11:

<u>Casefile Number</u>	<u>Regional Corp.</u>
AA-55392.....	Bristol Bay Native Corp.
AA-55394.....	Chugach Alaska Corp.
AA-55395.....	Bering Straits Native Corp.
AA-55396.....	NANA Corp.
AA-55397.....	NANA Corp.
AA-55469.....	Cook Inlet Region Inc.
AA-59416.....	Doyon, Limited
AA-59425.....	Aleut Corp.
AA-59433.....	Ahtna, Inc.
AA-59434.....	Calista Corp.
AA-59435.....	Koniag, Inc.
AA-59436.....	Sealaska Corp.
F-85448.....	Doyon, Limited
F-85449.....	Arctic Slope Regional Corp.

2 Applicant

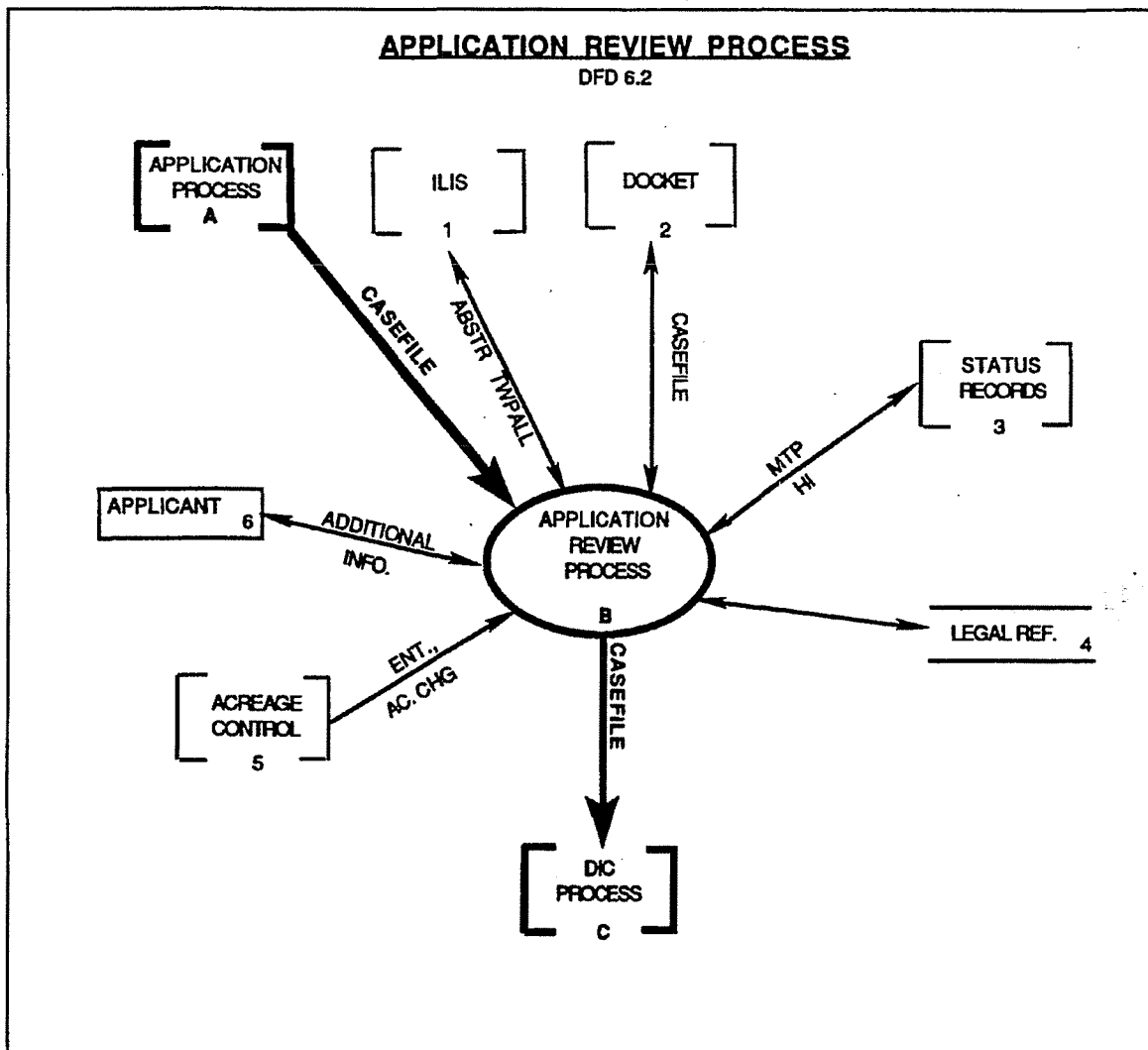
If the region is precluded from receiving reserved mineral estate lands in accordance with Sec. 1406(c) of ANILCA, it may select in-lieu lands as provided for in Sec. 1406(d)(9) of ANILCA. Because Sec. 14(h)(6) is a relatively new aspect of the ANCSA conveyance program, there have been no in-lieu selections or entitlements identified to date. However, it is anticipated that when a Sec. 14(h)(6) in-lieu selection is made, the appropriate adjudication Branch will establish a new case file (through

Docket) using the existing Sec. 14(h)(6) case file for that region plus a numeric suffix. For example, the Sec. 14(h)(6) case file for Cook Inlet Region, Inc. is AA-55469. The in-lieu selection will be serialized AA-55469-01 in the same casetype.

3 Title and Land Status (T&LS)

Native allotments with reserved mineral estates conveyable to the regional corporation pursuant to Sec. 14(h)(6) do not have any special designation on the MTPs. Therefore, Sec. 14(h)(6) is not identified on the status plats or the HIs prior to the issuance of a patent.

If there is in-lieu acreage the case must be routed to T&LS to be noted to the records.



B Application Review Process

Since a file was established for this casetype without an application, the adjudication process will most likely be initiated after a Native allotment certificate is issued or by BLM through the Patent Plan Process (PPP). The following steps need to be taken:

1 ILIS

Retrieve the following documents from ILIS to begin the application review process:

An abstract for the regional Sec. 14(h)(6) case file;

An abstract for the Native allotment case file; and

A TWPALL for the township involved.

There were two action codes established in ILIS to identify Sec. 14(h)(6) Native allotments which can be charged against the 2 million acre entitlement. The actions codes are:

- 562 - Used if the entire Native allotment acreage can be charged; and
- 563 - Used if only a portion of the Native allotment acreage can be charged.

2 Docket

Request the appropriate Sec. 14(h)(6) case file for the region and the associated Native allotment case file(s) from Docket using Form AK 1274-20.

3 Status Records

The "status" will indicate the legal description of the Native allotment; its survey status; and whether minerals were reserved in the Certificate of Allotment. This information is found on the master title plat (MTP). The certificate and reserved minerals are noted to the MTP. It should also be noted that the allotment is not identified as a Sec. 14(h)(6) allotment and the regional selection is not noted to the status records.

a Master Title Plat (MTP)

To obtain a copy of a MTP and supplemental plats (if any), go to the Public Room and select the appropriate aperture card from the card file and complete a request for ordering paper copies or aperture cards.

Upon receipt of the plat, write the "current to" date in the lower right hand corner using the date the plat was pulled. Review the plat(s) closely with the case file and verify that the Native allotment certificate has been correctly noted. If not correctly noted, send to T&LS with corrections using Form AK 1275-20 for updating. Place the corrected MTP into the case file. It is also suggested that the folded plats be noted on the lower right hand corner with the "current to" date, township and range, and survey status.

b Historical Index (HI)

The HI is a narrative summary of, and an index to, actions which affect, have affected, or will affect the title to, disposition of, or land use status within an individual township. To obtain a copy of the HI, follow the same procedures as for requesting a MTP. Review the HI closely to ascertain that there are no withdrawals, conflicting applications, or other interests that will preclude conveyance. The HI contains essential information for the adjudicative process and is filed in the case file with the MTP.

c Miscellaneous Documents Index (MDI)

The MDI is a narrative summary of documents, consisting primarily of PLOs and Executive Orders, affecting lands not specifically described, on which conditions restricting disposal or use may exist. The MDI should be reviewed prior to any

adjudicative action; however, it is usually not necessary to file a copy in the case file.

d Survey Plat

If surveyed, obtain a copy of the Native allotment survey plat or supplemental plat, if any.

4 Legal References

The legal references pertaining to regional selections are found in the Alaska Native Claims Settlement Act and subsequent laws, regulations, and public land orders. Acts, agreements, or orders that affect a specific regional corporation are listed in Legal References, Appendix A.

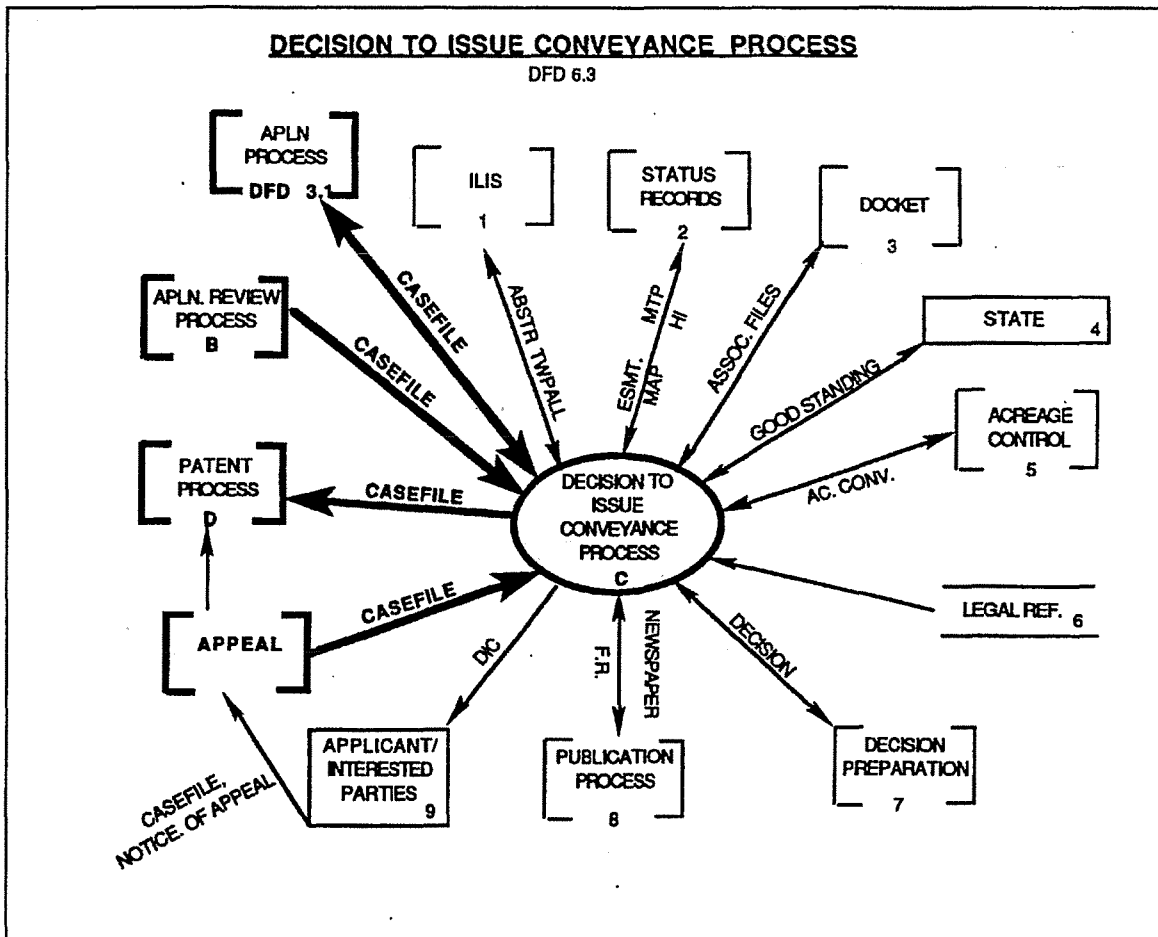
5 Acreage Control

Sec. 14(h)(6) directed the Secretary to charge against the 2 million acres authorized to be conveyed by Sec. 14(h) all Native allotments approved between December 18, 1971 and December 18, 1975. Allotments approved during that period aggregate 184,663 acres; therefore, 184,663 acres are hereby charged against the 14(h) entitlement. It should also be noted that there is no specific entitlement for any region.

6 Applicant

Sec. 14(h)(6) of ANCSA was amended by Sec. 1406(c) of ANILCA to enable the appropriate regional corporation to receive title to the reserved minerals in lands charged under Sec. 14(h)(6), except for lands within a National Wildlife Refuge as it existed at the time of ANCSA or located in the Lake Clark areas as provided in Sec. 12 of P.L. 94-204.

Sec. 1406(d) of ANILCA enabled the regional corporation to select in-lieu where they were precluded from receiving title to reserved minerals, if any. Selections must be compact and contiguous and made from lands withdrawn for that purpose.



C Decision to Issue Conveyance (DIC) Process

During this process, the decision is written using the information that was collected during the Pre-Decision Process. Use Glossary 54a as reference for preparing the document. A draft decision is not issued for Sec. 14(h)(6) applications.

1 ILIS

Retrieve a current TWPALL and abstract for the selection file and the associated Native allotment file. In the DIC Process it will be necessary to add the codes for any actions taken.

To update a case abstract, refer to the allowable action code listing for the casetype. Submit corrections in accordance with Branch policy. It is suggested that the adjudicator make corrections directly on the abstract with red ink and submit to the Land Law Assistant (LLA) for coding. When completed, the LLA should return the marked-up original and the new corrected abstract to the adjudicator for review.

NOTE: It is the adjudicator's responsibility to ensure the accuracy of ILIS data.

2 Status Records

a Master Title Plat (MTP)

Obtain a current MTP from the Public Room and prepare a color-coded work plat by highlighting the subject Native allotment and any conflicting claims.

b Historical Index (HI)

Review the HI in the Public Room and verify it against the case file copy. If anything has changed, replace the existing copy with a new HI.

3 Docket

If not already done, request all necessary case files from Docket using form AK-1274-20. It is suggested that the adjudicator keep a rolodex as a back-up to the Docket tracking system. Keep the case files in an accessible location in the event Docket personnel need to retrieve them for public view, etc.

4 State

Prior to issuing the document to the corporation, determine corporate status by calling the State of Alaska, Department of Commerce and Economic Development, Division of Banking, Securities and Corporations at 563-2161. Identify the corporation by name and request its status (the information will be provided over the phone). Document the telephone call and status information in the case file and proceed as follows:

If the corporation is in good standing, continue with this process;

If the corporation is in non-compliance, continue the process but call the corporation and put it on notice that a conveyance cannot be issued to a dissolved corporation;

If the corporation has been dissolved, stop the process and order a copy of the Certificate of Dissolution for inclusion in the file. Notify the corporation and request that it take the necessary action to be reinstated. Inform them that a conveyance cannot be issued to a non-existent corporation and that no conveyances will be issued until the corporation has notified BLM that it is once again in good standing.

NOTE: For detailed information on corporate qualification requirements, refer to B-8 of the Application Review Process.

5 Acreage Control

There is no specific Sec. 14(h)(6) regional corporation acreage entitlement figure. If the corporation is entitled to receive the land, BLM is required to issue the patent.

6 Legal References

The legal references pertaining to regional selections are found in the Alaska Native Claims Settlement Act and its amendments, subsequent laws, the U.S. Code of Federal Regulations, and various public land orders. Specific acts, agreements, or orders affecting a specific regional corporation are listed in Appendix A.

7 Decision Preparation

Section 14(h)(6) of ANCSA directed the Secretary to charge against the 2 million acres authorized to be conveyed under Sec. 14(h) all Native allotments approved during the first four years following ANCSA. Since this is a non-discretionary action, the conveyance of reserved minerals under Sec. 14(h)(6) takes precedence over any other Native or State selection. Any conflicting applications will be rejected in the decision.

If there are minerals reserved in the Native allotment certificate and the allotment is located in a National Wildlife Refuge as it existed at the time of ANCSA or is located in the Lake Clark areas as provided in Sec. 12 of P.L. 94-204, send a notice to the regional corporation stating that it has an in-lieu selection right as provided for in Sec. 1406(d) of ANILCA. If an in-lieu selection is received from the regional corporation, it is processed the same as a Sec. 12(a)(1) selection (see Chapter III).

If the Native allotment certificate reserves minerals which can be conveyed under Sec. 14(h)(6), a DIC will be prepared. The patent will include all reservations verbatim as contained in the certificate of allotment. There is no established glossary for the decision.

If no minerals were reserved in the certificate of allotment, send a notice to the regional corporation. Inform the corporation that this acreage was included in the ANCSA Sec. 14(h)(6) totals. However, the regional corporation would receive no subsurface conveyance. This notice is not published in the Federal Register.

8 Publication Process

If lands are being approved for conveyance in the decision, notice must be published once in the Federal Register and once a week for four consecutive weeks in a newspaper of general circulation in the vicinity of the lands being approved for conveyance, 43 CFR 2650.7(d). Decisions issued solely for rejecting an application are not published.

a Federal Register Publication Notice

Use Glossary 200a to publish when the decision involves only one serial number;

Use Glossary 199a to publish a decision involving more than one serial number;

Use Glossary 135a when a previously published decision is modified and modification needs to be published.

See Illustrations 4-6 for examples of the glossaries listed above.

After the notice has been drafted and all the necessary changes/corrections made, prepare a final package which includes:

- Four originals
- BLM reading file
- Branch reading file
- Case file(s)
- Originator copy

Before mailing the notice to the Office of the Federal Register, take the following steps to ensure that the notice is properly processed for payment in accordance with IM AK 91-18, change 2:

Complete a Document Face Sheet (Form 1310-5). See Illustration 7 for an example.

The Accounting Technician (AK 953A) is responsible for assigning the Document Control Number. This number will always start with L974G.

For FY93, the cross-reference number is 3-00163. This number is assigned by the Washington Office and changes with the fiscal year. The schedule or Block Number is 4310-JA. This number is always the same.

Indicate on the Document Face Sheet what is being published.

Complete the Weekly Report for Federal Register Notices Form (AK-1550-4). See Illustration 8 for an example.

Send the following to the Accounting Technician (953A):

- Completed Document Face Sheet;
- A copy of the first page of what is to be published;
- A completed Weekly Report for Federal Register Notices Form.

The Accounting Technician will assign a document control number and return to the originator. After these steps are completed, the originator is responsible for sending the documents to the Office of the Federal Register for publication.

Send the four double-spaced signed originals to the Office of the Federal Register. Attach a routing and transmittal slip (Form 1542-4) to each one with the following information:

The Federal Register Office Number
Action needed
Name of originator
Date and telephone number

See Illustration 9 for an example.

If the notice is being sent by regular mail, use this address:

Office of the Federal Register
National Archives and Records
Administration
Washington, D.C. 20408

If the notice is being sent by overnight mail, use this address:

Office of the Federal Register
Room 8301
1100 L Street NW
Washington, D.C. 20005

NOTE: Do not send the Document Face Sheet to the Federal Register.

When the Federal Register is ready to publish the notice, a representative will call and provide the publication and appeal dates. These dates are stamped in the blank space in the Newspaper Publication Notice and the decision.

If a Federal Register representative does not call with the information within a few days, call 8-523-3187 and verify receipt of the notice and request the publication and appeal dates.

NOTE: Copies of the Federal Register Publication Notice are not mailed-out with the decision.

Federal Register publications are made daily. Copies of each week's Federal Register are sent to the Division of Conveyance Management. The Division Secretary checks for notices that affect the Division and makes copies of them. The Secretary then routes a copy of the Federal Register page in which the notice appears to the appropriate Branch.

The originator of the publication notice will in turn forward a copy of the notice to the Accounting Technician (953A) so payment can be made. A copy of the published notice should also be incorporated in the appropriate case files.

b Newspaper Publication Notice

Use Glossary 39a for the newspaper cover letter;

Use Glossary 198a when the decision involves only one serial number;

Use Glossary 197a to publish a decision involving more than one serial number;
or

Use Glossary 217a when the previously published decision is modified and the modification needs to be published.

See Illustrations 10-13 for examples of the glossaries listed above.

The final package should include copies for:

- BLM reading file
- Branch reading file
- Case file(s)
- Originator
- Public Room

NOTE: Copies of the newspaper publication notice are not mailed with the decision.

Before mailing the letter and notice to the newspaper, complete all information required on the advertising order (AO) form (AK 1510-9) with the exception of those areas which are to be left blank. Fill in the date in the space provided on the AO stating that publication in the newspaper should begin in the issue closest to the date (give date) notice was published in the Federal Register, (see Illustration 14 for an example). The only persons currently authorized to approve AOs are the Branch Chiefs.

Submit the AO, along with a copy of the newspaper publication notice to Procurement (AK-974B). The procurement clerk will assign an AO number; provide a purchase order number; and have a contracting officer sign and date it. No order numbers will be given out over the telephone. A copy of the AO along with the original advertisement will be sent back to the originator to forward to the newspaper. At this time, the decision, which now includes the Federal Register publication date and the appeal date, is ready to issue.

NOTE: Try to date the decision with the same date the notice was published in the Federal Register.

Send the cover letter, double-spaced notice for newspaper publication, and three copies of the advertising order to the newspaper.

A tear sheet of the first issue will be sent to the originator for proofing. If the tear sheet is not received shortly after the approximate first date, call the newspaper. Request a FAX copy (BLM FAX number 271-5425) of the publication notice, so that if necessary, there will be time for corrections prior to the next publication date. After receiving the tear sheet, immediately notify the newspaper if corrections are needed.

The proof of publication must come directly to procurement in order to be matched with the original AO. A copy of the original AO and proof of publication from the newspaper will be sent together to the originator for verification. At that time, the originator is to

proof the advertisement, sign the bottom of form AK 1510-9 as the verifying officer and return only the AO to procurement. The original proof of publication is to remain in the case file. Remember that at least four to five weeks would have passed since the first publication of the notice, but if an unusual amount of time has gone by, it may be necessary to check to see if proof of publication has been received in Procurement (974B). If proof has not been received, call the newspaper. Then, proceed with the necessary steps to ensure that this process is completed.

NOTE: If there is more than one newspaper serving the same area, alternate publication between them by publishing the next DIC for lands in the area in another newspaper.

9 Applicant/Interested Parties

The decision must be sent to the regional corporations and the parties identified on the standard "cc" list in Glossary 203a. Also provide a copy of the decision to any other interested parties identified in the adjudicative process or any parties who have requested a copy of the decision.

APPEAL PROCESS

After issuance, the decision is subject to appeal by any party claiming a property interest in the land being conveyed. If an appeal is filed, the appellant must file the notice of appeal with BLM and must also serve a copy of the notice on all adverse parties listed in the decision. (It is critical that all adverse parties be listed in the appeals paragraph in the decision if they aren't listed as addressees.) BLM will send the notice of appeal and copies of pertinent case files to the Interior Board of Land Appeals (IBLA).

The appeal must be filed within 30 days after the decision is served on the parties. The 30-day period is determined by referring to the date the addressee signed a receipt for the decision. Proof of receipt can either be by the Certified Mail-Return Receipt Requested (CM-RRR) green card or by personal service receipt. The receipt should show the date the addressee signed to receive the decision. If the date is not shown, the 30-day period starts on the day the card is received back at BLM. If the appealing party was not served by certified mail, the appeal must be filed within 30 days after publication in the Federal Register to be valid. After the 30-day period has expired, the adjudicator must wait an additional 10-days before issuing a conveyance to allow for receipt of any appeals that may be in the mail.

If an appeal is filed, the following actions must be completed within **FIVE** working days:

Make sure that the subject case file is in order and that the computer has been updated to reflect all adjudicative actions completed. **NOTE:** The Paralegal staff is responsible for coding appeal information.

Make two readable copies of every document in the subject case file that pertains to the lands being appealed, including current status plats and HIs.

Insert the copies into case file folders and attach a form AK-1274-9 (Case Records Advice cover sheet) to the front of each file. The two files should be clearly marked as dummy files.

Have Docket bar-code one of the files to indicate it is a dummy file (e.g., AA-6789/D; "D" is for dummy).

Hand carry the original and both dummy files to the Paralegal. The unserialized dummy file will be sent to the Regional Solicitor's office. The serialized dummy file will be sent to IBLA. The original case file will be retained by BLM.

The Paralegal should be made aware of any pertinent information or documents regarding the case file after the appeal is transmitted.

NOTE: If the adjudicator receives an original Notice of Appeal, verify that the Paralegal has seen it. The Paralegal keeps the original copy.

If an appeal is filed after the 30-day period it is still necessary to transmit the administrative record to IBLA for action (dismissal).

Once an appeal is filed, no further adjudicative action can be taken on the lands involved in the appeal until IBLA issues a decision or order, 43 CFR 4.401. More information can be found in 43 CFR Subpart J, 4.415. IBLA can issue a segregation order which segregates the lands in dispute and allows BLM to continue processing the unaffected lands towards conveyance.

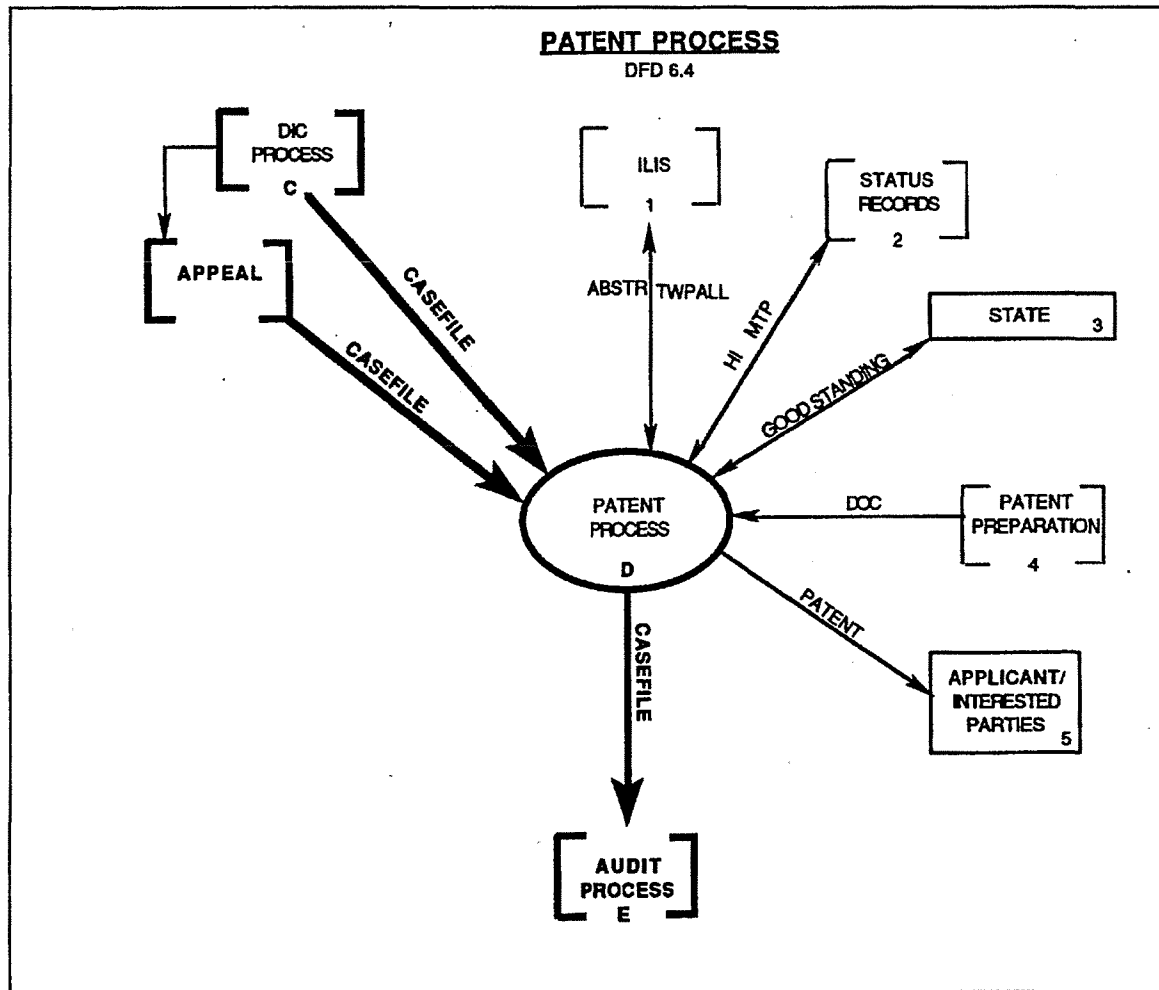
When the files are returned from IBLA, complete the following steps:

Check the file(s) out to yourself with your docket card;

Wait 60 days from the IBLA decision date to consolidate the dummy file and the newly returned permanent file. If a petition for reconsideration is filed within the 60 day timeframe for filing, make sure all original documents that have been filed in the dummy file since the initial appeal are placed in the original file prior to retransmittal to IBLA and keep copies for the dummy file;

If a petition for reconsideration is not filed, consolidate all original documents from the dummy file to the original file. Discard duplicate copies from the dummy file;

Send the empty dummy file folder to Docket with a note that the original and dummy files have been consolidated and that they can take the dummy off their case file control system. The Solicitor's Office keeps their dummy and disposes of it.



D Patent Process

After a decision is issued approving the reserved mineral estate for conveyance, a patent will be issued to the regional corporation.

1 ILIS

Retrieve a current TWPALL and abstract for the selection file and the associated Native allotment file. When issuing the patent, it will be necessary to update the case history abstract and land description by adding the appropriate codes. It may also be necessary to add any codes that were not entered during previous case processing or make corrections at this time.

To update a case abstract, refer to the allowable action code listing for the casetype. Submit corrections in accordance with Branch policy. It is suggested that the adjudicator make corrections directly on the abstract with red ink and submit to the Land Law Assistant (LLA) for coding. When completed, the LLA should return the marked-up original and the new corrected abstract to the adjudicator for review.

NOTE: It is the adjudicator's responsibility to ensure the accuracy of ILIS data.

2 Status Records

a Survey Plat

Obtain a copy of the Native allotment survey plat or supplemental plat, if any.

b Master Title Plat (MTP)

Prior to issuing the patent, it is critical to review the MTP and survey plats to insure that the status is current and that no changes have occurred since the decision was issued. Go to the Public Room and pull the appropriate aperture cards to verify that the date of the last status update has not changed from that of the work plat. If there have been no changes, proceed in the Patent Process.

If there has been a change, carefully compare the new MTP and the work plat to determine whether it affects the conveyance area. It may not be necessary to update the work plat if there have been no changes to the pertinent status. If changes have occurred which affect the lands to be patented, such as new applications being filed on the lands, it may be necessary to postpone issuing the patent until the matter is resolved. In such cases, it may be necessary to modify the decision in the DIC Process or take some other action as determined on a case-by-case basis before issuing the Patent.

c Historical Index (HI)

Review the HI in the Public Room and verify it against the case file copy. If anything has changed affecting the patent area, replace the existing copy with a new HI.

3 State

Prior to issuing the document to the corporation, determine corporate status by calling the State of Alaska, Department of Commerce and Economic Development, Division of Banking, Securities and Corporations at 563-2161. Identify the corporation by name and request its status (the information will be provided over the phone). Document the phone call and status information in the case file and proceed as follows:

If the corporation is in good standing, continue with this process;

If the corporation is in non-compliance, continue the process but call the corporation and put it on notice that a conveyance cannot be issued to a dissolved corporation;

If the corporation has been dissolved, stop the process and order a copy of the Certificate of Dissolution for inclusion in the file. Notify the corporation and request that it take the necessary action to be reinstated. Inform them that a conveyance cannot be issued to a non-existent corporation and that no conveyances will be issued until the corporation has notified BLM that it is once again in good standing.

NOTE: For detailed information on corporation qualification requirements, refer to B-8 of the Application Review Process.

4 Patent Preparation

Prepare the patent using the land descriptions, reservations, and subject to's as stated in the decision in the DIC Process. Use Glossary 54a for the conveyance of the reserved mineral estate patent to the regional corporation. For standard wording, use the appropriate options (cards) shown below:

Glossary 54a (Reserved Minerals to Regional Corporation);

* Patent Introduction	Card
- Corporation Name	
- Authority	
- Land Description	
* <i>Now Know Ye</i> Paragraph	Card
* Reservations	Card
* Subject to's	Card

NOTE: The patent will include all reservations verbatim as contained in the certificate of allotment (e.g., rights-of-way, ditches and canals, railroads, telegraph and telephone lines, etc.). The patent must also be subject to valid existing rights and it may be subject to the conditions and limitations of the Act of March 8, 1922.

5 Applicant/Interested Parties

After the patent is signed and numbered, it is issued by certified mail to the corporation and the parties identified on the standard "cc" list. Also provide a copy to any other interested parties identified in the adjudicative process or any parties who have requested a copy, along with a transmittal letter (Glossary 741a).

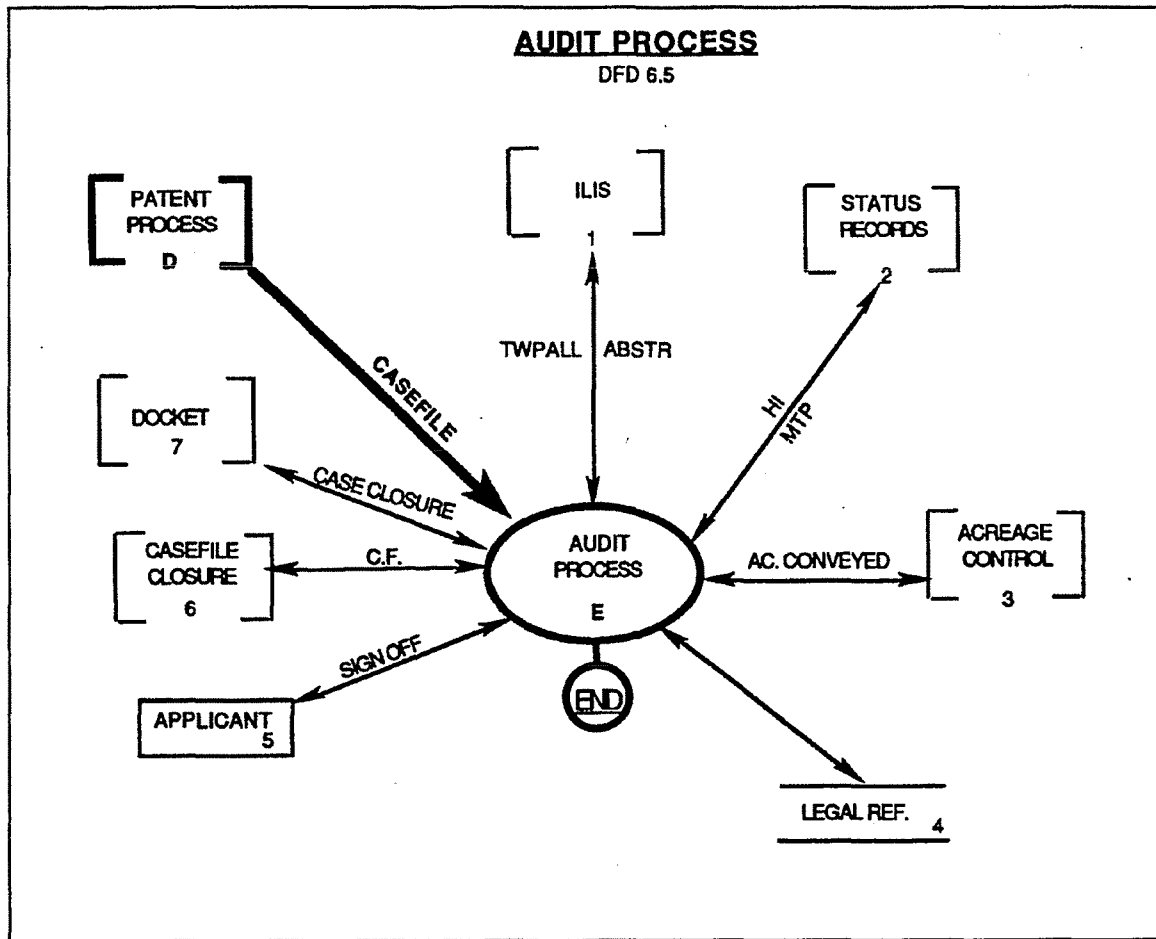
6 Post-Patent Process

Once the patent has been signed, make sure the "yellow dot" copy has been filed in the case file. Request T&LS (973C) to note the patent to the records by completing a T&LS request form (AK 1275-20). Route the case file and the request form to T&LS.

7 Acreage Control

Once the patent is issued, update any acreage control tracking systems in accordance with Branch policy.

NOTE: An ILIS subsystem will be used to monitor conveyed acreage in the near future.



E Audit Process

The audit is the final step in the conveyance process. Begin this process when all Native allotments that meet the Sec. 14(h)(6) criteria have been completed.

1 ILIS

Retrieve a current TWPALL and abstract for the regional file and the Native allotment file. In the Audit Process it will be necessary to update the case history abstract by adding the audit codes. It may also be necessary to add any land description or history code updates that were not entered during previous case processing or make corrections at this time.

Submit corrections in accordance with Branch policy. It is suggested that the adjudicator make corrections directly on the abstract with red ink and submit to the Land Law Assistant (LLA) for coding. When completed, the LLA should return the marked-up original and the new corrected abstract to the adjudicator for review.

NOTE: It is the adjudicator's responsibility to ensure the accuracy of ILIS data.

2 Status Records

During the Audit Process, it is critical to review the MTP is insure that the status is current. Go to the Public Room and pull the appropriate aperture cards to verify that the date of the last status update has not changed from that of the work plat. If there has been a change, update the work plat.

3 Acreage Control

Verify the total acreage conveyed to the corporation by tabulating the acreage of the legal land description described in each conveyance document and verifying it against the MTPs and survey plats for each conveyance.

4 Legal References

The legal references pertaining to regional conveyances are found in the Alaska Native Claims Settlement Act and its amendments, subsequent laws, the U.S. Code of Federal Regulations, and various public land orders. For the final audit, review any legislation that may have affected final regional entitlement. Specific acts, agreements, or orders affecting a regional corporation are listed in Appendix A.

5 Applicant

A sign-off sheet will be completed indicating that the audit is complete. The sign-off sheet will be signed by designated representatives for the corporation and BLM. A copy of the sign-off sheet will be incorporated in the appropriate regional casefiles.

6 Case File Closure

When there are no Native allotments which qualify under Sec. 14(h)(6) remaining within the region, the regional case file will be closed of record. Prior to case closure, review the files and update the status records as follows:

a Abstract

Verify that the case status and all required history action codes and township information for the case have been properly coded into the ILIS.

To update a case abstract, refer to the allowable action code listing for the casetype. Submit corrections in accordance with Branch policy. It is suggested that the adjudicator make corrections directly on the abstract with red ink and submit to the Land Law Assistant (LLA) for coding. When completed the LLA should return the marked-up original and the new corrected abstract to the adjudicator for review.

NOTE: It is the adjudicator's responsibility to ensure the accuracy of ILIS data.

b Master Title Plat (MTP)

Verify all MTP notations and request Title and Land Status (T&LS) to make any necessary changes. The patent number and reservations must be noted to the MTP if the lands have been patented.

If changes to the MTP are required, complete Form AK 1275-20 and route the case file to T&LS for updating. On the case file route sheet, indicate the file be returned to the adjudicator after the corrections have been made. Upon receipt of the case file from T&LS, review the plat and verify that the notations are complete.

c Historical Index (HI)

Request T&LS to note any patents to the HI and whether such action resulted in closure of the case file. If changes to the HI are required, complete Form AK 1275-20 and route the case file to T&LS for updating. On the case file route sheet, indicate the file be returned to the adjudicator after the corrections have been made. Upon receipt of the case file from T&LS, review the HI and verify that the notations are complete.

7 Docket

Send files to Docket with instructions to close the casefile.

ANCSA HANDBOOK

APPENDIX

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LEGAL REFERENCES**MAJOR ACTS**

Alaska Statehood Act of July 7, 1958, P.L. 85-508 (72 Stat., 339) as amended.

Alaska Native Claims Settlement Act (ANCSA) of December 18, 1971, and Amendments, P.L. 92-203 (85 Stat. 688).

Naval Petroleum Reserve Production Act of 1976, April 5, 1976, P.L. 94-258 (90 Stat. 303), P.L. 98-514 (94 Stat. 2963).

Federal Land Policy and Management Act of October 21, 1976 and amendment of Nov. 3, 1988 P.L. 94-579 (90 Stat. 2743).

Alaska National Interest Lands Conservation Act (ANILCA) of December 2, 1980 and amendment of Aug. 16, 1988, P.L. 96-487, (94 Stat. 2371).

Alaska Railroad Transfer Act of 1982 of January 14, 1983, Title VI of PL 97-468 (96 Stat. 2556).

Aleutian and Pribilof Islands Restitution Act of August 10, 1988, Title II of PL 100-383 (102 Stat. 911).

Major PLO's

- 5150 Utility Corridor
- 5151 Utility Corridor
- 5156 Former Indian Reservations
- 5169 11(a)(3) Village and regional deficiencies-Arctic Slope
- 5170 11(a)(3) Village and regional deficiencies-Bering Straits
- 5171 11(a)(3) Village and regional deficiencies-NANA
- 5172 11(a)(3) Village and regional deficiencies-Calista
- 5173 11(a)(3) Village and regional deficiencies-Doyon
- 5174 11(a)(3) Village and regional deficiencies-Cook Inlet
- 5175 11(a)(3) Village and regional deficiencies-Aleut
- 5176 11(a)(3) Village and regional deficiencies-Chugach
- 5177 11(a)(3) Village and regional deficiencies-Koniag
- 5178 11(a)(3) Regional deficiencies-Ahtna
- 5179 17(d)(2) Four National Systems
- 5180 17(d)(1) Classification and protection of public interest
- 5181 17(d)(1) Wildlife Refuge replacement (22(e))
- 5182 Amends PLO 5150 - Utility Corridor
- 5183 W/D for classification and in aid of legislation -affects Sec. 11 lands
- 5184 W/D for classification and in aid of legislation -affects Sec. 11 lands
- 5185 State selection preference right
- 5186 17(d)(1) on land not selected by State
- 5187 17(d)(1) on military reservations
- 5188 17(d)(1) on former Native reserves
- 5190 Modification and correction of PLO's 5150 and 5151 (Utility Corridor)
- 5191 Modification and correction of PLO's 5169, 5172, 5173, 5175, 5176, 5177
- 5192 Modification and correction of PLO 5179 17(d)(2)
- 5193 Modification and correction of PLO 5180 17(d)(1)
- 5194 Modification and correction of PLO 5181 (Sec. 22(e) Lands)
- 5213 Amends PLO 5173 - Doyon
- 5214 Amends PLO 5178 - Ahtna

- 5242 W/D for Evansville, Healy Lake, and Charlieskin; partial revocation of PLO's 5180 and 5186
- 5250 Amends PLO's 5179 and 5180 17(d)(2) and (d)(1)
- 5251 Amends PLO's 5179 and 5180 17(d)(2) and (d)(1)
- 5252 Amends PLO's 5173, 5176, 5178 - Doyon, Ahtna
- 5253 Amends PLO's 5171, 5179, 5192 - NANA
- 5254 Amends PLO's 5179, 5180, 5186 to permit State selections of certain lands
- 5255 Amends PLO's 5174, 5179, 5180, 5186 - Cook Inlet
- 5256 Amends PLO's 5169, 5179, 5180 - Arctic Slope
- 5257 Amends PLO's 5178, 5179, 5180 - Ahtna
- 5321 Amends PLO's 5178 and 5180 - Doyon
- 5346 Rev. PLO 778 (Wildwood); W/D for Natives of Kenai
- 5353 W/D pending eligibility for Council, Woody Island, Eyak, Chenega
- 5442 Amends PLO's 5172, 5180 - Calista
- 5444 Revokes W/D's on patented lands
- 5448 Partial Rev. of PLO 715 (Barter Island) for selection by village of Kaktovik
- 5450 Amends PLO's 5170 and 5180 - Bering Straits
- 5451 Partial Rev. of PLO 386 - Doyon
- 5452 Amends PLO's 5175 and 5181 - Aleut
- 5454 Amends PLO 5176 - Chugach
- 5455 Partial Rev. of PLO's 1571 and 1851 - Wainwright, Point Lay, Arctic Slope
- 5456 Rev. of E.O. 8786; partial rev. of PLO 1087 - Unalaska
- 5457 Partial Rev. of PLO 1771 - Unalakleet
- 5458 Partial Rev. of PLO's 765, 1139, 1444 - Northway, Doyon
- 5459 Amends PLO's 5177, 5179, 5180 - Koniag
- 5460 Partial Rev. of PLO 5150 - Ahtna
- 5501 Amends PLO 5174 - Cook Inlet
- 5509 Partial Rev. of PLO's 5150 and 5180
- 5519 Amends PLO's 5175, 5180, 5418 - Aleut
- 5544 Partial Rev. of PLO 960, W/D's under 17(d)(1) in T31S., R59E., CRM
- 5548 Withdrawal of lands for sel. by Goldbelt, Inc. (Juneau)
- 5549 Withdrawal of lands for selection by Shee Atika, Inc. (Sitka)

- 5550 Transfer of Kodiak Naval Station to Coast Guard. Some land for Native selection - Koniag
- 5551 Rev. of PLO 2789; Partial Rev. of PLO 5353 - Kodiak
- 5552 Partial Rev. of PLO's 1245 and 5353 - Kodiak
- 5553 Rev. of PLO 17; Partial Rev. of PLO 5353 - Kodiak
- 5554 Withdrawal of lands for selection by the Natives of Kodiak, Inc.
- 5555 Amends PLO 5176 - Chugach
- 5556 Amends PLO's 5179, 5396, 5169 - Arctic Slope
- 5557 Amends PLO 5170 - Bering Straits
- 5558 Partial Rev. of E.O. 8877; Transfers lands from Air Force to Coast Guard; withdraws lands for Native selection Koniag
- 5561 Extension of Section 11 withdrawals
- 5562 Modifies E.O. 5327 to permit withdrawal and selection of oil shale lands under ANCSA
- 5563 E.O. 5389 amended to permit withdrawal and selection of hot or medicinal springs under ANCSA
- 5564 Rev. of PLO 2553, amends PLO 5554; makes lands available for Natives of Kodiak, Inc.
- 5565 Partial Rev. PLO 715. Makes land at Barter Island available for selection by Kaktovik
- 5567 Withdrawal of lands for selection by Kenai Natives Association, Inc.
- 5581 Amends PLO 5561. Extends Sec. 11 W/D's to 10/1/76
- 5584 Amends PLO 5179 - Doyon

NATIVE CORPORATIONS

Ahtna Region

A. Ahtna, Incorporated

Regional/Village Merger-Ahtna, Incorporated.

Certificate of Incorporation dtd. September 30, 1980, merged the following village corporations (not including Chitina Native Corporation-Chitina) with the regional corporation:

Yedatene NA Corp.	Village of Cantwell
Cheesh-Na, Inc.	Village of Chistochina
Kluti-Kaah Corp.	Village of Copper Center
Gakona Corp.	Village of Gakona
Sta-keh Corp.	Village of Gulkana
Mentasta Lake Corp.	Village of Mentasta Lake
Tazlina, Inc.	Village of Tazlina

B. Cantwell (Yedatene NA Corporation)

Village/Regional Merger-Ahtna, Incorporated.

Certificate of Incorporation dtd. September 30, 1980, merged the village corporation with the regional corporation.

C. Chistochina (Cheesh-Na, Incorporated)

Village/Regional Merger-Ahtna, Incorporated.

Certificate of Incorporation dtd. September 30, 1980, merged the village corporation with the regional corporation.

D. Copper Center (Kluti-Kaah Corporation)

Village/Regional Merger-Ahtna, Incorporated.

Certificate of Incorporation dtd. September 30, 1980, merged the village corporation with the regional corporation.

E. Gakona (Gakona Corporation)

Village/Regional Merger-Ahtna, Incorporated.

Certificate of Incorporation dtd. September 30, 1980, merged the village corporation with the regional corporation.

F. Gulkana (Sta-keh Corporation)

Village/Regional Merger-Ahtna, Incorporated.

Certificate of Incorporation dtd. September 30, 1980, merged the village corporation with the regional corporation.

G. Mentasta Lake (Mentasta Lake Corporation)

Village/Regional Merger-Ahtna, Incorporated.

Certificate of Incorporation dtd. September 30, 1980, merged the village corporation with the regional corporation.

H. Tazlina (Tazlina, Incorporated)

Village/Regional Merger-Ahtna, Incorporated.

Certificate of Incorporation dtd. September 30, 1980, merged the village corporation with the regional corporation.

Aleut Region

A. Akutan (The Akutan Corporation)

P.L. 96-487, ANILCA, Sec. 1410, amended ANCSA by providing for the withdrawal of additional lands for underselected villages so that they may select lands to fulfill their entitlement.

B. Atka (Atxam Corporation)

P.L. 96-487, ANILCA, Sec. 1410, amended ANCSA by providing for the withdrawal of additional lands for underselected villages so that they may select lands to fulfill their entitlement.

C. Belkofski (Belkofski Corporation)

P.L. 96-487, ANILCA, Sec. 1410, amended ANCSA by providing for the withdrawal of additional lands for underselected villages so that they may select lands to fulfill their entitlement.

D. False Pass (Isanotski Corporation)

P.L. 96-487, ANILCA, Sec. 1410, amended ANCSA by providing for the withdrawal of additional lands for underselected villages so that they may select lands to fulfill their entitlement.

E. King Cove (King Cove Corporation)

P.L. 96-487, ANILCA, Sec. 1410, amended ANCSA by providing for the withdrawal of additional lands for underselected villages so that they may select lands to fulfill their entitlement.

F. Nelson Lagoon (Nelson Lagoon Corporation)

P.L. 96-487, ANILCA, Sec. 1410, amended ANCSA by providing for the withdrawal of additional lands for underselected villages so that they may select lands to fulfill their entitlement.

G. Nikolski (Chaluka Corporation)

P.L. 96-487, ANILCA, Sec. 1410, amended ANCSA by providing for the withdrawal of additional lands for underselected villages so that they may select lands to fulfill their entitlement.

H. Pauloff Harbor (Sanak Corporation)

P.L. 96-487, ANILCA, Sec. 1410, amended ANCSA by providing for the withdrawal of additional lands for underselected villages so that they may select lands to fulfill their entitlement.

I. St. George (St. George Tanaq Corporation)

1. P.L. 96-487, ANILCA, Sec. 1404, amended ANCSA by inserting "Dec. 18, 1971" as vesting date for reconveyances.

2. P.L. 96-487, ANILCA, Sec. 1410, amended ANCSA by providing for the withdrawal of additional lands for underselected villages so that they may select lands to fulfill their entitlement.

3. P.L. 96-487, ANILCA, Sec. 1417.

Authorized the Secretary to acquire certain lands for inclusion into Ak Maritime Nat'l Wildlife Refuge.

J. St. Paul (Tanadgusix Corporation)

1. P.L. 96-487, ANILCA, Sec. 1404, amended ANCSA by inserting "Dec. 18, 1971" as vesting date for reconveyances.

2. P.L. 96-487, ANILCA, Sec. 1410, amended ANCSA by providing for the withdrawal of additional lands for underselected villages so that they may select lands to fulfill their entitlement.

3. P.L. 96-487, ANILCA, Sec. 1417, authorized the Secretary to acquire certain lands for inclusion into Ak Maritime Nat'l Wildlife Refuge.

4. Memorandum of Understanding (MOU) of Jan. 25, 1985.

MOU specified land ownership, by settlement, on St. Paul Island.

Arctic Slope Region

A. Arctic Slope Regional Corporation (ASRC)

1. P.L. 96-487, ANILCA, Sec. 1431, provided for the consolidation and exchange of land holdings between the U.S. and Native Corporations within the ASRC region, satisfying land entitlements, and oil & gas operations in certain areas.
2. Terms & Conditions of 6/29/79, provided basis for Sec. 1431 of ANILCA; ratified by Sec. 1431(a); must be used in conjunction with Sec. 1431.
3. ASRC Agreement of Jan 24, 1984-Land exchange between ASRC and United States involving lands in the Barrow Gasfield.
4. PLO 82, Jan 22, 1943.
Withdrew entire North Slope of Alaska for use in connection with the prosecution of the war. Was revoked on Dec. 6, 1960, by PLO 2215.
5. NPR-A, Colville River, Partial Consent Judgement (A78-069 CIV).
Court decision on NPR-A boundary and navigability of the Colville River.
6. P.L. 94-258, National Petroleum Reserve-Alaska (NPR-A), April 5, 1976. Transferred management of the Naval Petroleum Reserve, No. 4 (Pet. 4) from the U.S. Navy to the Dept. of the Interior (BLM). Pet. 4 was renamed NPR-A.

B. Atkasook (Atqasuk Corporation)

P.L. 96-487, ANILCA, Sec. 1410, amended ANCSA by providing for the withdrawal of additional lands for underslected villages so that they may select lands to fulfill their entitlement.

C. Anaktuvuk Pass (Nunamiut Corporation)

P.L. 96-487, ANILCA, Sec. 1410, amended ANCSA by providing for the withdrawal of additional lands for underslected villages so that they may select lands to fulfill their entitlement.

D. Barrow (Ukpeagvik Native Corporation)1. Naval Arctic Research Laboratory (NARL) Agreement, Feb. 7, 1986.

Satisfied Barrows ANCSA entitlement except for reconveyed Native allotments.

2. P.L. 98-366, Barrow Gasfield Transfer Act.

Transferred federal interest in the subsurface estate of the Barrow Gasfield to the Ukpeagvik Inupiat Corp., Arctic Slope Regional Corp. and the North Slope Borough.

3. P.L. 96-487, ANILCA, Sec. 1410, amended ANCSA by providing for the withdrawal of additional lands for underselected villages so that they may select lands to fulfill their entitlement.

E. Kaktovik (Kaktovik Inupiat Corporation)1. Kaktovik-Chandler Lake Exchange.

Provides for the conveyance of subsurface estate under Kaktovik lands to A.S.R.C. Also provides for the conveyance of reserved minerals in approved Native allotments on Kaktovik lands to A.S.R.C.

2. P.L. 96-487, ANILCA, Sec. 1431(g), allows conveyance of entire entitlement within Arctic National Wildlife Refuge (ANWR).

3. P.L. 96-487, ANILCA, Sec. 1410, amends ANCSA by providing for the withdrawal of additional lands for underselected villages so that they may select lands to fulfill their entitlement.

F. Nuiqsut (Kuugpik Corporation)

1. A78-069 CIV - court case settling the boundary of NPR-A, and various issues relating to the Colville River (see ASRC section).

2. P.L. 96-487, ANILCA, Sec. 1410, amended ANCSA by providing for the withdrawal of additional lands for underselected villages so that they may select lands to fulfill their entitlement.

G. Point Hope (Tigara Corporation)

P.L. 96-487, ANILCA, Sec. 1410, amended ANCSA by providing for the withdrawal of additional lands for underselected villages so that they may select lands to fulfill their entitlement.

H. Point Lay (Cully Corporation, Incorporated)

P.L. 96-487, ANILCA, Sec. 1410, amended ANCSA by providing for the withdrawal of additional lands for underselected villages so that they may select lands to fulfill their entitlement.

I. Wainwright (Olgoonik Corporation)

P.L. 96-487, ANILCA, Sec. 1410, amended ANCSA by providing for the withdrawal of additional lands for underselected villages so that they may select lands to fulfill their entitlement.

Bering Straits Region

A. Bering Straits Native Corporation

P.L. 96-487, ANILCA, Sec. 1424, withdrew lands for Sec. 14 (h)(8)(ANCSA) selection by BSNC.

B. Solomon (Solomon Native Corporation)

ANCAB, VE 74-48, Aug. 14, 1979, "Solomon Agreement" between the State and Village of Solomon, BSNC, and BIA declared Solomon an eligible village under the provisions of ANCSA subject to limitations on the land entitlements of the village of Solomon and BSNC provided for in the agreement.

Bristol Bay Region

A. Bristol Bay Native Corporation

P.L. 96-487, ANILCA, Sec. 1423 withdrew lands for Sec. 14 (h)(8)(ANCSA) selection by BBNC.

B. Clark's Point (Saguyak, Incorporated)

P.L. 96-487, ANILCA, Sec. 1410, amended ANCSA by withdrawing additional lands for underslected villages so that they may select lands to fulfill their entitlement.

C. Dillingham (Choggiung, Limited)

Village Merger-Choggiung Limited

Certificate of Incorporation dtd. July 13, 1978, merged three village corporations.

D. Ekuk (Ekuk Natives, Limited)

Village Merger-Choggiung Limited

Certificate of Incorporation dtd. July 13, 1978, merged three village corporations.

E. Kokhanok (Kokhanok Native Corporation)

Village Merger-Alaska Peninsula Corporation.

Certificate of Incorporation dtd. Feb. 27, 1980, merged four village corporations.

F. Koliganek (Koliganek Natives, Limited)

P.L. 96-487, ANILCA, Sec. 1410, amended ANCSA by providing for the withdrawal of additional lands for underslected villages so that they may select lands to fulfill their entitlement.

G. Levelock (Levelock Natives, Limited)

P.L. 96-487, ANILCA, Sec. 1410, amended ANCSA by providing for the withdrawal of additional lands for underslected villages so that they may select lands to fulfill their entitlement.

H. Manokotak (Manokotak Natives, Limited)

P.L. 96-487, ANILCA, Sec. 1410, amended ANCSA by providing for the withdrawal of additional lands for underselected villages so that they may select lands to fulfill their entitlement.

I. Newhalen (Newhalen Native Corporation)

Village Merger-Alaska Peninsula Corporation.

Certificate of Incorporation dtd. Apr. 6, 1981, merged the village corporation with the Alaska Peninsula Corporation.

J. Port Alsworth (Tanalian, Incorporated)

1. P.L. 96-487, ANILCA, Sec. 1416, provides for Native Group (if certified) to make selections from certain public lands.

2. "Settlement Agreement" between Tanalian, Inc. and National Park Service. dtd. July 24, 1990. Tanalian agreed to select lands pursuant to Sec. 1416 of ANILCA. The Native group also agreed to not to select lands within the power site reserve and agreed to certain specified easements.

K. Port Heiden (Meshik Corporation)

Village Merger-Alaska Peninsula Corporation.

Certificate of Incorporation dtd. Feb. 27, 1980, merged four village corporations.

L. Portage Creek (Ohgsenakale Corporation)

Village Merger-Choggiung Limited.

Certificate of Incorporation dtd. July 13, 1978, merged three village corporations.

M. South Naknek (Qinuyang Limited)

Village Merger-Alaska Peninsula Corporation.

Certificate of Incorporation dtd. Feb. 27, 1980, merged four village corporations.

N. Ugashik (Ugashik Native Corporation)

Village Merger-Alaska Peninsula Corporation.

Certificate of Incorporation dtd. Feb. 27, 1980, merged four village corporations.

Calista Region

A. Calista Corporation

P.L. 102-172, Sec. 8126, Nov. 26, 1991, 1992 Defense Appropriations Act. "Calista Exchange" authorized the Secretary of the Interior to exchange federal properties for approximately 210,000 acres of land (or interests in lands) held by Calista Corp.

B. Aniak (Aniak, Limited)

Village Merger-The Kuskokwim Corporation.

Certificate of Incorporation dtd. April 25, 1977, merged nine village corporations.

C. Chuathbaluk (Chuathbaluk Company)

Village Merger-The Kuskokwim Corporation.

Certificate of Incorporation dtd. April 25, 1977, merged nine village corporations.

D. Crooked Creek (Kipchaughpuk, Limited)

Village Merger-The Kuskokwim Corporation

Certificate of Incorporation dtd. April 25, 1977, merged nine village corporations.

E. Lower Kalskag (Lower Kalskag, Incorporated)

Village Merger-The Kuskokwim Corporation.

Certificate of Incorporation dtd. April 25, 1977, merged nine village corporations.

F. Napamute (Napamute, Limited)

Village Merger-The Kuskokwim Corporation.

Certificate of Incorporation dtd. April 25, 1977, merged nine village corporations.

G. Red Devil (Red Devil, Incorporated)

Village Merger-The Kuskokwim Corporation.

Certificate of Incorporation dtd. April 25, 1977, merged nine village corporations.

H. Sleetmute (Sleetmute, Limited)

Village Merger-The Kuskokwim Corporation.

Certificate of Incorporation dtd. April 25, 1977, merged nine village corporations.

I. Stony River (Stony River, Limited)

Village Merger-The Kuskokwim Corporation.

Certificate of Incorporation dtd. April 25, 1977, merged nine village corporations.

J. Kalskag (Upper Kalskag, Incorporated)

Village Merger-The Kuskokwim Corporation.

Certificate of Incorporation dtd. April 25, 1977, merged nine village corporations

Chugach Region:

A. Chugach (Chugach Alaska Corporation)

1. P.L. 94-204, 89 Stat. 1150, Jan 2, 1976,
Sec. 11 finalized the ANCSA boundary with Sealaska.
2. P.L. 96-487, ANILCA, Sec. 1429, limits the areas Chugach can select under section 14(h)(8) of ANCSA and modifies filing deadline; Also, refers to a map of areas not available for selection.
3. P.L. 96-487, ANILCA, Sec. 1430, authorizes the Chugach region study that resulted in the CNI Agreement.
4. CNI Agreement of 1982 and MOU of Sept. 9, 1982,
directs the conveyance of specific lands to Chugach; combines Chugach's Section 12(c) and 14(h)(8) entitlements; directs the reservation of specific easements; further restricts the selection patterns (MOU); and much more.
5. Oil Pollution Act, 104 Stat. 572, August 18, 1990,
Section 8301 allows for the filing of irrevocable elections (i.e. irrevocable prioritization) for the purposes of receiving damages due to the oil spill.

B. Chenega (Chenega Corporation)

1. P.L. 96-487, ANILCA, Sec. 1428(a).
The 69,120 limitation imposed on villages within National Forests is waived as to Sec. 12(b) conveyances.
2. Oil Pollution Act, 104 Stat. 572, August 18, 1990, Section 8301 allows for the filing of irrevocable elections (i.e. irrevocable prioritization) for the purposes of receiving damages due to the oil spill.

C. English Bay (English Bay Corporation)

1. P.L. 96-487, ANILCA, Sec. 1410, amended ANCSA by providing for the withdrawal of additional lands for underslected villages so that they may select lands to fulfill their

entitlement.

2. Oil Pollution Act, 104 Stat. 572, Aug. 18, 1990, Sec. 8301 allows for the filing of irrevocable elections (ie. irrevocable prioritization) for the purposes of receiving damages due to the oil spill.

D. Eyak (Eyak Corporation)

1. ANCSA, Sec. 22(l), Dec.18, 1971.

Cordova was identified as a Home Rule City. Eyak cannot elect lands within a 2-mile radius of Cordova. Survey will determine the boundary.

2. P.L.O. 5353, July 23, 1973.

This PLO withdrew lands for Eyak after it was declared eligible. Eyak was not a listed village in Sec. 11 of ANCSA.

3. P.L. 96-487, ANILCA, Sec. 1428(a).

The 69,120 limitation imposed on villages within National Forests was waived as to Sec. 12(b) conveyances.

F. Tatitlek (Tatitlek Corporation)

1. P.L. 92-204, 89 Stat. 1155, Jan. 2, 1976,

Sec. 16 withdrew certain lands for selection.

2. P.L. 96-487, ANILCA , Sec. 1428 (a).

The 69,120 limitation imposed on villages within National Forests is waived as to Sec. 12(b) conveyances.

G. Port Graham (Port Graham Corporation)

1. Oil Pollution Act, 104 Stat. 572, August 18, 1990.

Sec. 8301 allows for the filing of irrevocable elections (i.e. irrevocable prioritization) for the purposes of receiving damages due to the oil spill.

Cook Inlet Region

A. Cook Inlet Region, Incorporated (CIRI)

1. P.L. 94-204, Sec. 12, Jan 2, 1976, as amended, ratified the "Terms and Conditions" (T&C) as clarified on Aug 31, 1976. Represents a negotiated settlement between CIRI, the State, and the Dep't of Interior (DOI) to resolve land selection problems encountered by CIRI and it's merged villages in satisfying their land entitlements under Secs. 12 and 14 of ANCSA.

Amendments to P.L. 94-204 (Terms and Conditions):

- a. P.L. 94-456, Oct 4, 1976 (90 Stat. 1934).
 - b. P.L. 95-178, Nov. 15, 1977 (91 Stat. 1369).
 - c. P.L. 96-55, Aug. 14, 1979 (93 Stat. 386).
 - d. P.L. 96-311, Jul. 17, 1980 (94 Stat. 947).
 - e. P.L. 96-487, Dec. 2, 1980 (94 Stat. 2371).
 - f. P.L. 97-468, Jan 14, 1983 (96 Stat. 2556).
2. P.L. 97-468, Alaska Railroad Transfer Act of 1982 (ARTA), Jan 14, 1983.
3. "Village Deficiency Agreement". Agreement between CIRI and DOI, dtd. Aug. 31, 1976, implementing and clarifying ANCSA deficiency conveyances to specified CIRI villages, as authorized by Sec. 4(a) of P.L. 94-456.
4. "Beaver Creek Agreement". Agreement dtd. May 18, 1981 provided for relinquishment of lands by CIRI in exchange for conveyance for in-lieu subsurface estate under paragraph I.B. of the Terms and Conditions, as further specified in the Agreement.
5. "Lake Clark Tradeout" Lake Clark Land Trade Agreement, dtd. Feb. 2, 1976, between CIRI and the Villages of Ninilchik Native Association, Inc., Knikatnu, Inc., Alexander Native Association, Inc., Tyonek Native Corporation, and Chickaloon Native Association, Inc. This agreement implemented and clarified Paragraph II and Appendix C of the Terms and Conditions.
6. CIRI-Group Agreement for Montana Creek and Caswell.
7. "Salamatof Agreement". Agreement between CIRI, Salamatof Native Association, Inc.,

and the United States, dtd. Aug. 17, 1979 providing for CIRC in-lieu subsurface selections and conveyances and stipulating acreage chargeability under paragraphs I.B. (1) and (2) of the Terms and Conditions.

B. Alexander Creek Native Group

"Alexander Creek Agreement", dtd. Dec. 17, 1979; CIRC agreed to convey 7,680 (surface) acres to Alexander Creek Native Group.

C. Chickaloon (Chickaloon Native Corporation)

1. "Lake Clark Tradeout" Lake Clark Land Trade Agreement, dtd. Feb. 2, 1976, between CIRC and the Villages of Ninilchik Native Association, Inc., Knikatu, Inc., Alexander Native Association, Inc., Tyonek Native Corporation, and Chickaloon Native Association, Inc. This agreement implemented and clarified Paragraph II and Appendix C of the Terms and Conditions.

D. Eklutna (Eklutna Native Corporation)

1. P.L. 96-487, ANILCA, Sec. 1425, set the stage for the State and Eklutna to settle pending litigation.

2. "North Anchorage Land Agreement" (NALA), Mar 15, 1982, between the State, Municipality of Anchorage and Eklutna Native Corporation, settled the dispute over (state) Mental Health Selections as per Sec. 1425, ANILCA.

3. P.L. 97-468, Alaska Railroad Transfer Act of 1982 (ARTA), Jan 14, 1983.

E. Knik (Knikatu, Incorporated)

"Lake Clark Tradeout" Lake Clark Land Trade Agreement, dtd. Feb. 2, 1976, between CIRC and the Villages of Ninilchik Native Association, Inc., Knikatu, Inc., Alexander Native Association, Inc., Tyonek Native Corporation, and Chickaloon Native Association, Inc. This agreement implemented and clarified Paragraph II and Appendix C of the Terms and Conditions.

F. Ninilchik (Ninilchik Native Association)

"Lake Clark Tradeout" Lake Clark Land Trade Agreement, dtd. Feb. 2, 1976, between CIRI and the Villages of Ninilchik Native Association, Inc., Knikatu, Inc., Alexander Native Association, Inc., Tyonek Native Corporation, and Chickaloon Native Association, Inc. This agreement implemented and clarified Paragraph II and Appendix C of the Terms and Conditions.

G. Salamatof (Salamatof Native Association)

1. "Salamatof Agreement": Agreement between CIRI, Salamatof Native Association, Inc., and the United States, dtd. Aug. 17, 1979 providing for CIRI in-lieu subsurface selections and conveyances and stipulating acreage chargeability under paragraphs I.B. (1) and (2) of the Terms and Conditions.

2. "Lake Clark Tradeout" Lake Clark Land Trade Agreement, dtd. Feb. 2, 1976, between CIRI and the Villages of Ninilchik Native Association, Inc., Knikatu, Inc., Alexander Native Association, Inc., Tyonek Native Corporation, and Chickaloon Native Association, Inc. This agreement implemented and clarified Paragraph II and Appendix C of the Terms and Conditions.

H. Seldovia (Seldovia Native Association)

"Lake Clark Tradeout", Lake Clark Land Trade Agreement, dtd. Feb. 2, 1976, between CIRI and the Villages of Ninilchik Native Association, Inc., Knikatu, Inc., Alexander Native Association, Inc., Tyonek Native Corporation, and Chickaloon Native Association, Inc. This agreement implemented and clarified Paragraph II and Appendix C of the Terms and Conditions.

I. Tyonek (The Tyonek Native Corporation)

"Lake Clark Tradeout" Lake Clark Land Trade Agreement, dtd. Feb. 2, 1976, between CIRI and the Villages of Ninilchik Native Association, Inc., Knikatu, Inc., Alexander Native Association, Inc., Tyonek Native Corporation, and Chickaloon Native Association, Inc. This agreement implemented and clarified Paragraph II and Appendix C of the Terms and Conditions.

Doyon Region

A. Doyon, Limited

1. P.L. 97-468, Title VI, the "Alaska Railroad Transfer Act" transferred ownership of the Alaska Railroad from the Federal Gov't to the State of Alaska.
2. P.L. 96-487 , ANILCA, Sec. 1422, identified previously selected lands for Doyon, Limited.
3. P.L. 96-487 , ANILCA, Sec. 1424, Provided for Doyon land exchange.

B. Alatna (Alatna Endeavors, Incorporated)

Village Merger- K'oyitl'ots'ina, Limited.
Certificate of Incorporation dtd. July 1, 1980, merged four village corporations.

C. Allakaket (Aala Kaa Ka, Incorporated)

Village Merger- K'oyitl'ots'ina, Limited.
Certificate of Incorporation dtd. July 1, 1980, merged four village corporations.

D. Galena (Notaaghleedin, Limited.)

Village Merger- Gan-a 'Yoo, Limited.
Certificate of Incorporation dtd. May 4, 1978, merged four village corporations.

E. Hughes (Hadohdleekaga, Incorporated)

Village Merger- K'oyitl'ots'ina, Limited.
Certificate of Incorporation dtd. July 1, 1980, merged four village corporations.

F. Huslia (Bin Googa, Incorporated)

Village Merger- K'oyitl'ots'ina, Limited.
Certificate of Incorporation dtd. July 1, 1980, merged four village corporations.

G. Kaltag (Takathlee-tondin, Incorporated)

Village Merger-Gan-a 'Yoo, Limited.

Certificate of Incorporation dtd. May 4, 1978, merged four village corporations.

H. Koyukuk (Mineelghaadza', Limited.)

Village Merger-Gan-a 'Yoo, Limited.

Certificate of Incorporation dtd. May 4, 1978, merged four village corporations.

I. McGrath (Chamai, Incorporated)

Village Merger-MTNT, Limited.

Certificate of Incorporation dtd. Nov. 15, 1976, merged four village corporations.

J. Nikolai (Don Lee, Incorporated)

Village Merger-MTNT, Limited.

Certificate of Incorporation dtd. Nov. 15, 1976, merged four village corporations.

K. Nulato (Nik'aghun, Limited.)

Village Merger-Gan-a 'Yoo, Limited.

Certificate of Incorporation dtd. May 4, 1978, merged four village corporations.

L. Takotna (Gold Creek, Limited)

Village Merger-MTNT, Limited.

Certificate of Incorporation dtd. Nov. 15, 1976, merged four village corporations.

M. Telida (Seseui, Incorporated)

Village Merger-MTNT, Limited.

Certificate of Incorporation dtd. Nov. 15, 1976, merged four village corporations.

Koniag Region

A. Koniag Regional Corporation

1. P.L. 94-204, 89 Stat. 1154, January 2, 1976.

Sec. 15(a) directed the conveyance to Koniag the oil and gas rights on lands withdrawn as dual withdrawals by Sec. 17(d)(2)(e) of ANCSA. Lands are on the Alaska Peninsula.

2. P.L. 96-487, ANILCA, Sec. 911, corrected the legal description contained in Sec. 15 of PL 94-204 (89 Stat. 1154).

3. P.L. 96-487, ANILCA, Sec. 1427, authorized the Afognak Island Exchange, settled litigation over village eligibility, etc.

4. P.L. 99-626, November 7, 1986

Sec. 5 directed BLM to modify Koniag's IC, issued for lands at Woman's Bay (selected under section 14(h)(8) of ANCSA), to add certain reservations.

5. Village/Regional Merger-Koniag Regional Corporation

Certificate of Incorporation dtd. October, 1980, merged the v i l l a g e
corporations for Karluk and Larsen Bay with the regional corporation.

6. Afognak Joint Venture Formed under terms and conditions of Sec. 1427(c) of ANILCA; members of the venture at present are: Koniag Inc., Regional Native Corporation; Afognak Native Corporation; Shuyak Inc.; Litnik, Inc.; Uyak Natives, Inc.; Anton Larsen, Inc.; Uganik Natives, Inc.; Ayakuilk, Inc.; Nunachkpit, Inc.; and Bell Flats Natives, Inc.

B. Afognak (Afognak, Incorporated)

1. P.L. 96-487, ANILCA, Sec. 1427, authorized the Afognak Island Exchange, settled litigation over village eligibility, etc.

2. Village Merger- Afognak Native Corporation

Certificate of Incorporation dtd. Dec. 19, 1977, merged Afognak Incorporated and Port Lions Native Corporation.

C. Akhiok (Natives of Akhiok, Incorporated)

Village Merger- Akhiok-Kaguyak, Incorporated

Certificate of Incorporation dtd. Jun. 29, 1979, merged village corporations for Akhiok and Kaguyak.

D. Kaguyak (Kaguyak Native Corporation)

Village Merger- Akhiok-Kaguyak, Incorporated

Certificate of Incorporation dtd. Jun. 29, 1979, merged village corporations for Akhiok and Kaguyak.

E. Karluk (Karluk Native Corporation)

Village/Regional Merger- Koniag Regional Corporation

Certificate of Incorporation dtd. October, 1990, merged the corporation with the regional corporation. v i l l a g e

F. Kodiak (Natives of Kodiak, Incorporated)

PLO 5566, Modification, December 17, 1975.

To also withdraw the lands for selection by NOK. The PLO made lands excised by the USGS available for selection by various villages and Koniag, however, NOK was originally excluded.

G. Larsen Bay (Nu-Nachk Pit, Incorporated)

Village/Regional Merger- Koniag Regional Corporation

Certificate of Incorporation dtd. Dec. 10, 1980, merged the corporation with the regional corporation. v i l l a g e

H. Port Lions (Port Lions Native Corporation)

1 P.L. 96-487, ANILCA, Sec. 1427, authorized the Afognak Island Exchange, settled litigation over village eligibility, etc.

2. Village Merger- Afognak Native Corporation. Certificate of Incorporation dtd. Dec. 19, 1977, merged Afognak Incorporated and Port Lions Native Corporation.

NANA Region

A. NANA Regional Corporation

1. Regional/Village Merger-NANA Regional Corporation.

Certificate of Incorporation dtd. April 16, 1976, merged the following village corporations (not including Kikiktagruk Inupiat Corporation-Kotzebue) with the regional corporation:

Ivisaapaagmiit Corp.	Village of Ambler
Buckland Nunachiak Corp.	Village of Buckland
Deering Ipnatchiak Corp.	Village of Deering
Katyaak Corp.	Village of Kiana
Kivalina Sinaukmeut Corp.	Village of Kivalina
Koovukmeut Inc.	Village of Kobuk
Noatak Napaaktukmeut Corp.	Village of Noatak
Putoo Corp.	Village of Noorvik
Akuliuk Inc.	Village of Selawik
Isingnakmeut Inc.	Village of Shungnak

2. P.L. 96-487, ANILCA, Sec. 1418, provides for conveyance of lands listed under Sec. 14(h)(8) of ANCSA.

3. P.L. 99-96, "NANA Exchange" (F-84520) Sept 25, 1985, provided for land exchange between NANA and the United States (NPS).

B. Ambler (Ivisaapaagmiit Corporation)

Village/Regional Merger- NANA Regional Corporation.

Certificate of Incorporation dtd. April 16, 1976, merged the village corporation with the regional corporation.

C. Buckland (Buckland Nunachiak Corporation)

Village/Regional Merger- NANA Regional Corporation.

Certificate of Incorporation dtd. April 16, 1976, merged the village corporation with the regional corporation.

D. Deering (Deering Ipnatchiak Corporation)

Village/Regional Merger- NANA Regional Corporation.

Certificate of Incorporation dtd. April 16, 1976, merged the village corporation with the regional corporation.

E. Kiana (katyaak Corporation)

Village/Regional Merger- NANA Regional Corporation.

Certificate of Incorporation dtd. April 16, 1976, merged the village corporation with the regional corporation.

F. Kivalina (Kivalina Sinuakmeut Corporation)

Village/Regional Merger- NANA Regional Corporation.

Certificate of Incorporation dtd. April 16, 1976, merged the village corporation with the regional corporation.

G. Kobuk (Koovukmeut, Incorporated)

Village/Regional Merger- NANA Regional Corporation.

Certificate of Incorporation dtd. April 16, 1976, merged the village corporation with the regional corporation.

H. Noatak (Napaaktukmeut Corporation)

Village/Regional Merger- NANA Regional Corporation.

Certificate of Incorporation dtd. April 16, 1976, merged the village corporation with the regional corporation.

I. Noorvik (Putoo Corporation)

Village/Regional Merger- NANA Regional Corporation.

Certificate of Incorporation dtd. April 16, 1976, merged the village corporation with the regional corporation.

J. Selawik (Akuliuk, Incorporated)

1. Village/Regional Merger- NANA Regional Corporation.

Certificate of Incorporation dtd. April 16, 1976, merged the village corporation with the regional corporation.

2. P.L. 96-487, ANILCA, Sec. 1410, amended ANCSA by withdrawing additional lands for underselected villages so that they may select lands to fulfill their entitlement.

K. Shungnak (Isingnakmeut, Incorporated)

Village/Regional Merger- NANA Regional Corporation.

Certificate of Incorporation dtd. April 16, 1976, merged the village corporation with the regional corporation.

Sealaska Region

A. Sealaska Regional Corporation

1. P.L. 94-204, Sec. 11, 89 Stat. 1150, January 2, 1976.

Finalized the ANCSA boundary with Chugach Region.

2. P.L. 94-204, Sec.10, 89 Stat. 1150, January 2, 1976.

Made available for Sec. 14(h)(8) selection those lands withdrawn under Sec.16 and not selected under Sec. 16(a) and required State approval for selection of lands in the Saxman Yakutat withdrawals.

B. Angoon (Kootznoowoo, Incorporated)

1. P.L. 96-487, ANILCA, Sec. 506(a), exchanges lands selected by Angoon on Admiralty Island for lands on Long Island and other rights, etc.

2. Civil Suit A84-575, December 20, 1984,

between the USFS and Angoon to resolve the issue of valid existing federal administrative sites (Sec. 506(a)(3)(A)) which were excluded from conveyance to Angoon.

3. P.L. 101-378, 104 Stat. 470, August 17, 1990,

Secs. 201, 203, 204, and 205 which amended Sec. 506(a) of ANILCA.

C. Goldbelt (Goldbelt, Incorporated)

1. Exchange Agreement, April 11, 1979.

2. P.L. 96-487, ANILCA, Sec. 506(b), directed the conveyance of lands described in the Exchange Agreement dated April 1, 1979.

3. Exchange Agreement, Nov. 16, 1984.

4. Exchange Agreement, Sept. 9, 1987.

D. Hydaburg (Haida Corporation)

1. P.L. 99-664, "The Haida Land Exchange Act of 1986", Nov. 1976, authorized Haida to exchange conveyed land and selection rights.
2. P.L. 101-626, "Tongass Timber Reform Act", 104 Stat. 4432, Nov. 28, 1990. Section 401 modified the Haida Exchange Act to include Sulzer Portage Lands.

E. Klukwan (Klukwan, Incorporated)

1. P.L. 94-204, 89 Stat. 1150, Jan. 2, 1976.
Sec. 9 allows Klukwan to convey the lands received under Sec. 19 of ANCSA to the IRA corporation; re-withdraws the lands around the village and authorizes the selection and conveyance of 23,040 acres.
2. P.L. 94-456, 90 Stat. 1934, Oct. 4, 1976.
Sec. 1 recognizes the fact that the valuable lands around the village were already selected or conveyed to the State. It authorizes the withdrawal and selection of lands elsewhere (Dall and Long Islands).

F. Sitka (Shee-Atika, Incorporated)

1. P.L. 96-487, ANILCA, Sec. 506(a), directed the conveyance of specific lands on Admiralty Island to Shee Atika in satisfaction of its rights.
2. P.L. 96-487, ANILCA, Sec. 1434. directed the conveyance of Charcoal & Alice Islands in partial satisfaction of its rights. The legal description was amended by the "Exchange Agreement of 10/17/85".
3. "Exchange Agreement", October 17, 1985.
Corrected the legal descriptions contained in Sec. 506(c) of ANILCA for Charcoal and Alice Islands, Forest Service cabins, etc.
4. P.L. 101-626, "Tongass Timber Reform Act", 104 Stat.4434, Nov. 28, 1990. Secs. 501 and 502 directed the study and beginning of negotiations for a land exchange on Admiralty Island.

ANCSA 3(e) DETERMINATIONS

Section 3(e)(1) of ANCSA provides that the Secretary shall determine the smallest practicable tract enclosing land actually used in connection with the administration of Federal installations. Most of the potential sites were reviewed under Sec. 3(e) in the mid-1980's. Any 3(e) determinations that still need to be done will be completed by the respective Branches in the Division of Conveyance Management.

1 Lands Subject to Determination

Lands identified as being used by a federal agency, other than military withdrawals, within areas withdrawn by Secs. 11(a)(1), 16(a) or (d) and selected by a village or regional corporation under Secs. 12 or 16 or selected by Sealaska Corporation in accordance with Sec. 14(h)(8)(B) will be reviewed to determine if they are public lands for the purpose of ANCSA. (also, see Chapter XIII for CIRI 3(e) authority). Lands subject to a Sec. 3(e) determination will be conveyed to the appropriate Native corporation if the lands are determined to be public lands. If the lands are determined to have been used by the holding agency throughout the selection period, they are not public lands and will be retained by the holding agency. Therefore, the selection application will be rejected. (See Case Rejection 12.)

2 Criteria for Determinations (43 CFR 2655.2)

Lands subject to determination under Sec. 3(e)(1) of the Act will be subject to conveyance to Native corporations if they are determined to be public lands. If the lands are determined not to be public lands, they will be retained by the holding agency. The BLM shall determine:

a Nature and Time of use

- (1) If the holding agency used the lands for a purpose directly and

necessarily connected with the Federal agency as of December 18, 1971;

(2) If use was continuous, taking into account the type of use, throughout the appropriate selection period; and

(3) If the function of the holding agency is similiar to that of the Federal agency using the lands on December 18, 1971.

b Specifications for the area to be retained by the Federal agency.

(1) Area shall be no larger than reasonably necessary to support the agency's use.

(2) Tracts shall be described by U.S. Survey (or portion thereof) smallest aliquot part, metes and bounds or protraction diagram, as appropriate.

(3) Tracts may includes:

(a) Improved land;

(b) Buffer zone surrounding improved lands as is reasonably necessary for purposes such as safety measures, maintenance, security, erosion control, noise protection and drainage;

(c) Unimproved lands used for storage;

(d) Lands containing gravel or other materials used in direct connection with the agency's purpose and not used simply as a source of revenue or services; and

(e) Lands used by a non-government entity or a private person for a use that has a direct, necessary and substantial connection to the purpose of the holding

agency but shall not include lands from which proceeds of the lease, permit, contract or other means are used primarily to derive revenue.

c Interest to be retained by the Federal Agency

(1) Generally, full fee title to the tract shall be retained; however, where the tract is used primarily used for access, electronic, light or visibility clear zones or right-of-way, an easement may be reserved in lieu of full fee title where the BLM determines that an easement affords sufficient protection.

(2) Easements reserved in lieu of full fee title shall be reserved under the provisions of Sec. 17(b) of the ANCSA and 43 CFR 2650.4-7.

3 Establishing the case file

The Bureau of Land Management will establish a case file for any installation that requires a 3(e) determination. In order to do so, the following information is needed:

- a Identification name of the installation with a short description; for example, Transmitter Site at Galena, White Alice Site at Hoonah, etc;
- b The name and address of the holding agency;
- c The Public Land Order, Executive Order, Statute (and any amendments) or the 44 L.D. 513 notation which has given the agency the authority to use the lands; in some cases, the only authority may be that the agency was using the land before December 18, 1971;
- d Legal description of the land to be included in the 3(e) application; and
- e The name of the corporation with the serial number that has selected the installation.

4 Determination Procedures (43 CFR 2655.3)

a Where sufficient information has not already been provided, written notice shall be issued to any Federal agency which the BLM has reason to believe might be a holding agency. The written notice shall provide that the information requested be furnished in triplicate to the BLM within 90 days from the receipt of the notice. Upon receipt of information, the BLM will promptly provide affected Native corporations with copies of the documents. Upon adequate and justifiable showing as to the need for an extension by the holding agency, the BLM may grant a time extension up to 60 days to provide the information requested.

b The information to be provided by the holding agency shall include the following for each tract which is subject to determination.

- (1) The function and the scope of the installation;
- (2) A plottable legal description of the lands used;
- (3) A list of structures or other alterations to the character of lands and their function, their location on the tract and date of construction;
- (4) A description of the use and function of any unaltered lands;
- (5) A list of any rights, interests or permitted uses the agency has granted to others, including other Federal agencies, along with dates of issuance and expiration and copies of relevant documents;
- (6) If available, site plans, drawings and annotated aerial photographs delineating the boundaries of the installation and locations of areas used; and
- (7) A narrative explanation stating when Federal use of each area began; what use was being made of the lands as of December 18, 1971, whether any action has

taken place between December 18, 1971, and the end of the appropriate selection period that would reduce the area needed, and the date this action occurred.

c The BLM shall request comments from the selecting Native corporation relating to the identification of lands requiring a determination. The period for comment by the Native corporation shall be 90 days, as provided for the agency in paragraph (a) of this section, but shall commence from the date of receipt of the latest copy of the holding agency's submission.

d The holding agency has the burden of proof in proceedings before the BLM. A determination of the lands to be retained by the holding agency under Sec. 3(e) of the ANCSA shall be made based on the information available in the case file. If the holding agency fails to present adequate information on which to base a determination, all lands selected shall be approved for conveyance to the selecting Native corporation.

e Easements

(1) Not all types of Federal use require retention of fee title. Some uses are compatible with private ownership and may be fully protected by the reservation of a Sec.17(b) easement. The regulations give BLM not only the authority, but the mandate, to review each application and determine whether an easement affords sufficient protection, is customary for the particular use and would further the objective of the Act.

(2) An easement can be specific as to uses and description of location. This type of easement will insure public safety and permit proper use of improvements developed for public benefit.

(3) In many cases regarding the U.S. Coast Guard aid-to-navigation sites, the actual "use" is limited to a small area and occurs under conditions where the Federal use is not, or need not be exclusive.

f National Guard Sites

A Sec. 3(e) determination is required, unless withdrawn by PLO 2020. Lands withdrawn under PLO 2020 are considered withdrawn for military purposes and are not subject to a Sec. 3(e) determination.

g Navigability Determination

If the area covered by the 3(e) application includes water which may be susceptible to navigation, request a navigability determination. The request will be issued at the same time as the notice is sent to the holding agency.

5 The Determination

a After all the available information has been reviewed, one of the following determinations will be made:

(1) There are no public lands within the 3(e) application available for conveyance to the selecting Native corporation;

(2) A portion of the lands within the 3(e) application are public lands available for conveyance to the selecting Native corporation; or

(3) All of the lands within the 3(e) application are public lands available for conveyance to the selecting Native corporation.

b The determination, signed by the Branch Chief of the respective branch of adjudication, will be prepared in the form of a memorandum. Copies of the memorandum will be placed in the 3(e) case file, the ANCSA selection file(s), the ANCSA easement file, and any withdrawal, Rev/Rest, or 44 L.D. 513 files that are affected by the determination. The memorandum will include:

- (1) A plottable description of the land included in the 3(e) application;
- (2) A brief discussion of the rationale for the determination and the information supplied by the interested parties;
- (3) A plottable description of those lands actually being used by the Federal agency on December 18, 1971, which received continuous use throughout the appropriate selection period;
- (4) A plottable description of public lands available to the selecting Native corporation;
- (5) Final easement and major waterway determinations on those lands available for conveyance to the selecting Native corporation; and
- (6) Navigability recommendations.

6 The Decision

The Decision will incorporate the 3(e) determination and will include the following:

a Rejection of the Native selection on land to be retained by the holding agency;
and/or

b Approval of lands for conveyance to the selecting Native corporation that have not been justified for retention by the holding agency.

See _____ of the Handbook for the Decision Writing process.

7 Post Adjudicative Actions

Make sure that the decision and conveyance documents for the Sec. 3(e) are made a part of the 3(e) file and coded to ILIS. Send the 3(e) file to Withdrawal Section (932) for closure if it is determined that all of the lands within the 3 (e) application are public lands available for conveyance to the selecting Native corporation. Withdrawal Section (932) will note the withdrawal file as to any action taken.

The decision will become final unless appealed to the Interior Board of Land Appeals (IBLA) in accordance with 43 CFR Part 4 Supart E.

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UGASHIK

Ugashik B3, B4, B5, C3, C4, C5

UMKUMIUTE

Baird Inlet B8, C8, Nunivak Island B1, C1, C2

UNALAKLEET

Unalakleet C4, D3, D4, Norton Bay A3, A4, (A5, not in print)

UNALASKA

Unalaska 1:250

UNGA

Port Moller 1:250

VENETIE RESERVE

Fort Yukon, Christian, Chandalar, Arctic, 1:250 maps

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WHITE MOUNTIAN

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WOODY ISLAND

Kodiak C1, C2, C3, D1, D2, Sutwik Island C5, C6, (D2, Not in print) D4, D5, Ugashik (A1, not in Print) A3, A7, B1, B2, B3, C1, C2, C3, D1, D2

YAKUTAT

Yakutat B4, B5, C4, C5

WAINWRIGHT

Wainwright B1, B2, B3, C1, C2, C3, D2

Trails and Roads Information

Alaska Trails Database:

This indexes trails and roads by name and tells when they were built, where this information came from and how much each cost. This is the best index to roads and trails I have seen.

Location: Alaska Resources Library on computer and in book form.

Alaska Existing Trail System:

This is a set of maps and a printout. The maps are arranged by quadrangle and show trails existing in 1973. An accompanying printout names the trails and sometimes references Alaska Road Commission records which establish the date when the trail was built.

Location: Alaska Resources Library - orange atlas case.

Annual Reports of the Alaska Road Commission:

These establish when roads were built. They are indexed by the Alaska Trail System Database and Alaska Existing Trail System printout. The library holds 1905-1953.

Location: Alaska Resources Library - Spe Coll. TE 24 A4 A2 year

Alaska Road Commission Maps (by district):

Published originally in 1951, updated to approximately 1955 (1 set).

Published originally in 1923, updated to about 1941 (1 partial set).

Location: Alaska Resources Library - Orange map cases.

Quitclaim Deed to the State of Alaska Pursuant to Section 21 of the Alaska Omnibus Act...:

This lists roads that were deeded to Alaska as a result of statehood.

Location: Alaska Resources Library, REF KFA 444 A31 A15 1959

Maps for the State Omnibus roads for Southcentral Alaska only on microfich aperture cards.

Location: BLM Public Room.

RS 2477 Regional Trails and Roads Assertion Inventory 1985:

This lists state assertion of RS 2477 roads as of 1985.

Location: Alaska Resources Library - REF HE 356 A4 S74

The Alaska Resources Library holds a number of histories of regional transportation, trails and roads that may be useful. A short title list with call numbers follows:

Alaska's Kuskokwin River Region: a History

Location: F912 K87 B76d

Alaska's Upper Yukon River Region: a History

Location: F912 Y9 D84d

Historical Status of the Fairbanks-Fort Gibbon Trail: Report

Location: F914 F16 S74

A History of the May Creek Road: Report

Location: F914 M34 S74

A History of the Circle-Fort Yukon Trail: Report

Location: F914 C57 S74

A History of the Fort Yukon-Beaver Trails: Report

Location: F914 F69 S74

A History of the Mission Creek Trail Eagle, Alaska

Location: F914 E3 S74

The History of the Gulkana River

Location: GB1227 G85 C6

The Iditarod Trail (Seward-Nome Route) and Other Alaskan Gold Rush Trails

Location: GB1227 G85 C6

Navigable and Nonnavigable Waters in the Upper Kuskokwin

Location: GB1227 K87 N38

PATENT PLAN PROCESS

Background Information

The Patent Plan Process (PPP) is the timely completion of patents within planned timeframes. It is the assemblage of all documents and the scheduling of surveys necessary for each office to meet deadline and includes intense coordination among the offices involved in the field examination, survey and patent processes.

The Statehood Act of 1958 granted Alaska the right to select 104.5 million acres; the State also received certain rights to lands beneath tidal waters and navigable water bodies. Over 44 million acres were granted to the Alaska Native people under the Alaska Native Claims Settlement Act (ANCSA) to settle their aboriginal rights to land claims. These two land grants combined with the vast number of small tract claims (usually 160 acres or less) are scattered throughout the State. All these lands are mandated to be patented, but they must be surveyed prior to patent.

The Alaska Native Claims Settlement Act land selections are dispersed among nearly 200 native village corporations and 12 regional corporations. In most cases, surveys for state and corporation lands are based upon the rectangular survey system. Native allotments and other inholdings are almost always described by a metes and bounds description and don't conform to the rectangular survey. (There are some that will conform to rectangular surveys. They are described as U.S. Surveys (USS) followed by a number, e.g. USS 6094. A U.S. Survey conducted after approval of the rectangular survey requires a supplemental township plat to segregate and lot the remaining acreage around the USS.)

Cadastral Survey (920) has the responsibility to survey lands for patent under all land acquisition programs including ANCSA. Prior to 1985, the survey effort in Alaska concentrated on rectangular surveys of 25 to 30 townships in clustered groups. Cadastral was also receiving ever increasing "Requests for Survey" to accommodate Native allotments and other small tracts scattered throughout the State. The Bureau of Land Management (BLM) recognized a need to sort and define priority areas in order to bring efficiency and cost effectiveness to the survey and

conveyance programs, realizing that BLM must utilize input from our customers.

As a result of studies completed to improve the quality of our patents plus establish a survey plan that would serve all interest groups fairly, the Patent Plan Process was established in 1985. Survey priorities are now organized by "windows." Windows are normally defined along township lines, and overall window size is determined by the complexity of survey necessary in the area (e.g., meanders, inholdings, terrain) and limited to a size which can generally be completed in one survey season. A window is expected to be about 10 to 25 townships. Specific and contiguous blocks of townships are organized for complete administrative, adjudicative, survey and conveyance actions.

A window usually encompasses a village corporation selection area and may include more than one village corporation, but that's not always the case. The window may identify only a regional selection or it may include only a survey of the inholdings where a rectangular survey was completed prior to the inception of the PPP.

Windows may consist of one or more Survey Groups, either approved or unapproved, and may also include townships which might not require rectangular survey, i.e., U.S. Surveys only. The ideal situation for each Window (site specific geographic area) is to complete adjudication of all claims, applications, and selections that can be patented upon completion of the official survey. Every window includes all inholdings, if any, within its township and range boundaries. Inholdings are not just native allotments. They include any area to be surveyed by a metes and bounds description. An adjudicator responsible for a window should have everything within that window identified and adjudicated, with survey requests submitted to cadastral prior to field survey.

The patent plan process covers BLM survey and patent needs and is updated annually. Each step of the process is fully coordinated to assure that all land actions within a township are complete so that patents can be issued. Survey and patent priorities are developed annually. The intent of the PPP is to complete all land actions in an area at one time thus making it unnecessary for BLM to return to that area for additional work. Mobilization and demobilization costs are incurred one time only.

In summary, the PPP was established by the State Director in 1985 to coordinate and manage all land actions as priority nondeferrable work. The process is to define site specific geographic areas by township, per a cluster of contiguous townships, which require all necessary adjudicative and administrative actions to be completed that will result in consolidated surveys and patents. These priority areas (PPP Windows) are established to accomplish the work efficiently, within scheduled time frames, limits of available funding, and BLM resources.

The Cadastral Planning Staff (921) has the responsibility for development of annual window lists for field survey based on recommendations from the Division of Conveyance Management (960) and assures that each window is scheduled, evaluated, monitored, reported, and public relations are maintained.

The Division of Conveyance Management and the District Offices focus their adjudication and field work efforts on priority windows to provide the surveyors sufficient lead time for survey appraisals, writing survey instructions, and scheduling the field survey.

Each have the responsibility of accomplishing their phase of each project (PPP Window) on schedule and within budget. They shall identify promptly all deficiencies and deviations from the PPP to the appropriate Deputy State Director, District Manager, and the Cadastral Planning Staff.

In the past, Cadastral published a quarterly Platting Priority Schedule and Platting Committee Worksheet. The schedule is now published semi-annually. The "platting schedule" tracks the preparation of survey plats after the field survey is completed. The Conveyance Management uses the "Accepted by DSD" date in the schedule as a basis for planning its annual work accomplishments. The platting schedule tracks the preparation progress of the survey plats, which are normally completed within two years following field survey. It is a very important tool used in the preparation of the Annual Work Plan.

Another report prepared by Cadastral is the Master Field Survey List. This List provides Cadastral's survey priorities based on the PPP process for a 5-year period and is revised annually. It identifies the areas to be surveyed in a particular year by their window and group

numbers along with the assigned PPP project name. Using the field survey schedule as a guide, 960's goal is to convey those lands approximately three years after field survey and is reflected in their Annual Work Plan and MBO goals.

Should the adjudicators realize at any point in time that a township needs to be added to or deleted from a window prior to survey, the procedures identified in Instruction Memorandum AK-87-132, "Procedures for Changes to Existing Survey Windows Under the Patent Plan Process," are to be used. This memo can be found in the Patent Plan Process Handbook. These changes need to be made as early in the process as possible so that navigable waters on lands to be surveyed can be identified before special survey instructions are written and surveyors go to the field. This will eliminate the need to prepare supplemental plats at a later date (thus holding up the patent) in order to segregate the beds of navigable waters that had not been segregated while the survey crew was in the field.

Pre-Field Survey Procedures

Every adjudicator should have a current copy of the Patent Plan Schedule for Data Submission, also prepared by Cadastral. There are two schedules still current; one is the schedule for PPP years 1991-1993, and the second schedule covers PPP years 1994-1996. Each schedule shows by year and calendar month the Patent Plan submission time frames for the adjudicator, District Office, and BIA, if applicable. Refer to the following example of the schedule for PPP field survey year 1995.

Patent Plan Schedule for Data Submission PPP Year 1995

As you can see from the example, the adjudicator begins to plan for patent plan year 1995 during calendar year 1992, three years prior to field survey.

1 From March through May, 1992, an adjudicator should be developing the rectangular survey needs and list of inholdings.

2 From June through February, 1992, the adjudicator should be adjudicating the inholdings in the window and submitting requests for survey to Cadastral. You'd also be requesting District Office field exams where still needed.

3 From January through December, 1993, the District Offices and BIA plan and complete their field exams.

4 Although not shown in the above schedule, an adjudicator would also be developing rectangular survey needs and lists of inholdings between March through May 1992 if he/she has a window in the PPP for 1996. The cycle continues for each PPP year.

5 After the District and BIA have completed field exams, the adjudicator, during the period January through May 1993, would complete the final adjudication and inholding requests for survey where previous seasons field reports were required for survey year 1995. Simultaneously, during January and February, if the adjudicator also has a PPP 1996, he/she would be adjudicating inholdings, requesting survey, and requesting field exams where still needed. There are tight timeframes involved in the PPP; therefore, it is possible for the process to falter if respective responsibilities are not completed in a timely manner.

As noted in Item 1 above, the adjudicator's initial window package submission to 921 should cover the entire window. If you are assigned a window that you will share with one or more adjudicators, coordinate with them (adjudicators) so that your submission is one package. If this is not possible, be sure to indicate the window number on each individual package and advise Cadastral that other adjudicators are involved and when to expect the rest of the window submission(s). To ensure that your window package is complete before submitting it, the following should be done:

- 1 Compile your list of inholdings and place on a standard Inholdings List.
- 2 Obtain a Plan of Survey map from Cadastral for your window area. You may need to obtain more than one map if you have a large window. If a Plan of Survey is not available, use a Protraction Diagram instead.
 - a Depict all status, color code for clarity on the Plan of Survey. Refer to E-2(a) of the Handbook for colors to be used (optional). If you choose not to use the colors suggested in the Handbook, provide Cadastral with a legend of the colors used. (Cadastral prefers that all branches use a standard color scheme.)
 - b Outline any firm and final boundaries (FFB) on the map.
- 3 Pull MTPs of the window townships from the public room. Color code the MTPs only on those that have complex or congested areas that will not show up clearly on the Plan of Survey map.

Cadastral has requested that the FFB be outlined on the maps only if the selection patterns can be clearly defined. Indicate in your package if you are unable to identify the FFB. (Survey of the inholdings identified in a window are always a "given," but the FFB survey of the window may be moved back to a later year if the FFB cannot be established.)
- 4 Pull copies of and xerox all ICs, TAs, and PLOs within the window.
- 5 Any documents that describe irregular or complex survey needs that cannot be clearly shown on the Plan of Survey, Protraction Diagram, or MTPs, i.e., metes and bounds descriptions, survey plats already approved, rights-of-way, etc., should be furnished along with the package to Cadastral.

In addition to the above requirements, the following should be completed prior to onset of the rectangular survey:

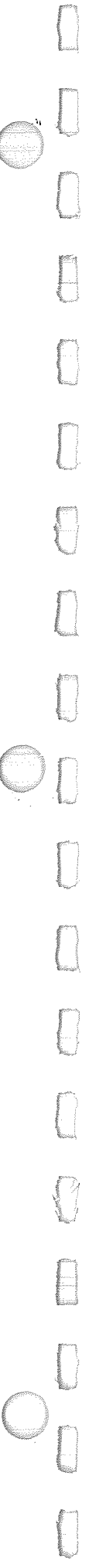
1 All navigability determinations have been made. If you are dealing with previously IC'd lands, you should have written to the village corporation and requested that the corporation provide you with either a confirmation of the navigability determinations present in their IC or if they prefer to have a new navigability determination based on the Gulkana criteria. Adjudicators don't need to request supplemental plats if the area is in an "outyear" window (future PPP year) as Cadastral will pick up any supplemental plats required from the navigability reports submitted to them from the Branch of Navigability. Copies of these reports are sent to the respective 960 branches. If the area has already been surveyed, the adjudicator must request supplemental plats from Cadastral. The same applies to new navigability determinations for ICs.

2 All inholdings have been adjudicated and requests for survey forwarded to Cadastral (920). (It is expected that adjudication of some inholdings may not be completed at this point in the process because of conflict resolutions, title affirmation, title recovery, appeals, etc.)

3 All native allotments have been conformed to survey.

4 3(e) determinations, if any, have been made.

Many village and regional corporations have overselected lands. To ensure that the lands patented don't exceed village or regional entitlement, the adjudicator should obtain a current priority listing from the corporation as to conveyance preference before the onset of rectangular survey. This is not necessary if you are patenting lands that were previously IC'd.



ANCSA HANDBOOK

ILLUSTRATIONS

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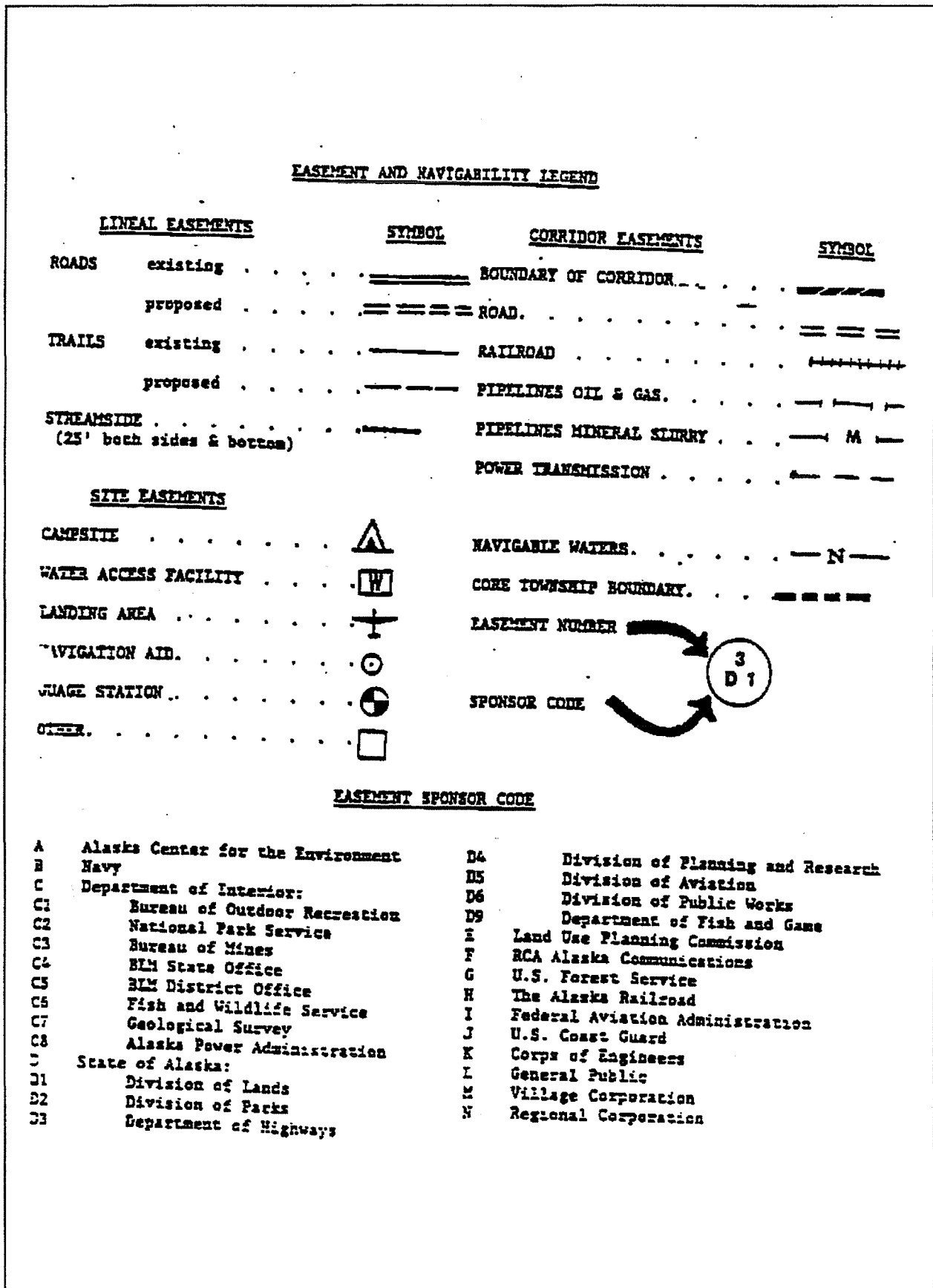


Illustration 1. Easement and Navigability Legend

EXAMPLE

Serial No. _____ (265)

Date

Memorandum

To: Chief, Branch of Mineral Law (982)

From: Chief, Branch of _____ Adjudication (96)

Subject: Request for Mineral Adjudication and/or Review

Please review, adjudicate, and/or take whatever action necessary for the mining claims, granted oil and gas leases, or lease offers within the following land description. For mining claims, please verify the claim location, that the claimants have complied with the requirements of Sec. 314 of FLPMA, and that the lands were available at the time of location. For granted oil and gas leases, a waiver of administration may be needed upon conveyance. For offers to lease, a rejection is required prior to conveyance. Please take whatever action is appropriate.

Legal description: (If the land description is too lengthy for the space allowed, please include as an attachment).

Lands to be conveyed to: (Please Circle)

_____ Native Corp.
(name)

DIC/IC/PATENT/CP

___ Sec. 11(a)(1)/16 Withdrawal

___ Sec. 11(a)(3) withdrawal

___ Sec. 14(h)

___ Other (Please explain)

The serial numbers for the mining claims, granted oil and gas leases and/or offers to lease for your review and/or action are as follows: (List or attach a TWPALL or MSE)

Illustration 2: Adjudication and/or Review



United States Department of the Interior

IN REPLY REFER

BUREAU OF LAND MANAGEMENT

Alaska State Office
701 C Street, Box 13
Anchorage, Alaska 99513

NOTICE OF INTENT TO WAIVE ADMINISTRATION

The Bureau of Land Management hereby gives notice that it proposes to waive administration over any lease, contract, permit, right-of-way or easement (excluding easements reserved to the United States pursuant to Section 17(b)(1) of the Alaska Native Claims Settlement Act) which is located within the boundaries of the lands approved for conveyance to the Native Corporation as shown in the Decision to Issue Conveyance.

If administration is waived, formal notification with right of appeal will be sent upon interim conveyance of the land.

(Same signature as on DIC)

Illustration 3: Intent to Waive Administration

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
ALASKA

4310-JA
8-00183

(AK-964-4213-15)

Notice for Publication

AA-8103-2

Alaska Native Claims Selection

In accordance with Departmental regulation 43 CFR 2650.7(d), notice is hereby given that the decision to issue conveyance (DIC) to Doyon, Limited, notice of which was published in the FEDERAL REGISTER, 44 F.R. 25937 to 25939, on May 3, 1979, is modified by limiting the season of use on easement EIN 8 L to winter use.

A notice of the modified DIC will be published once a week, for four (4) consecutive weeks, in the Fairbanks Daily News-Miner. Copies of the modified DIC may be obtained by contacting the Alaska State Office of the Bureau of Land Management, 701 C Street, Box 13, Anchorage, Alaska 99513.

Any party claiming a property interest which is adversely affected by the decision, an agency of the Federal government, or regional corporation, shall have until SEP 22 1980 to file an appeal on the issue in the modified DIC. However, parties receiving service by certified mail shall have 30 days from the date of receipt to file an appeal. Appeals must be filed in the Bureau of Land Management at the address identified above, where the requirements for filing an appeal may be obtained. Parties who do not file an appeal in accordance with the requirements in 43 CFR Part 4, Subpart E, shall be deemed to have waived their rights.

Illustration 4: Glossary #135a (page 1 of 2)

Except as modified, the decision, notice of which was given May 3, 1979,
is final.

's Stanley H. Bronczyk AUG 16 1988
Chief, Branch of Doyon Adjudication

cc:
Director (311)
Main Interior Building, Room 3653
Attn: T. Stephenson

Illustration 4: Glossary 135a (page 2 of 2)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
ALASKA

O-00163
4310-JA

(AK-967-4230-15)

Notice for Publication.

Alaska Native Claims Selection

In accordance with Departmental regulation 43 CFR 2650.7(d), notice is hereby given that decisions to issue conveyance under the provisions of Secs. 12(c), 14(h)(8) and 22(f) of the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), 43 U.S.C. 1601, 1611(c), 1613(h)(8), 1621(f), and the 1982 CNI Settlement Agreement of January 10, 1983, entered into pursuant to ANCSA and Secs. 1302(h) and 1430(a) of the Alaska National Interest Lands Conservation Act of December 2, 1980, Pub. L. 96-487, 94 Stat. 2371, 2475, 2531, will be issued to Chugach Alaska Corporation for approximately 127 acres. The lands involved are in the vicinity of Seward Meridian, Alaska.

<u>Serial Number</u>	<u>Land Description</u>	<u>Approximate Acreage</u>
AA-50379-7	T. 3 S., R. 10 E.	60
AA-50379-22	T. 2 N., R. 1 E.	67

A notice of the decisions will be published once a week, for four (4) consecutive weeks, in the Anchorage Times. Copies of the decisions may be obtained by contacting the Alaska State Office of the Bureau of Land Management, 222 West Seventh Avenue, #13, Anchorage, Alaska 99513-7599 ((907) 271-5960).

Any party claiming a property interest which is adversely affected by the decisions, an agency of the Federal government or regional corporation, shall have until (30 days from date of publication) to file an appeal. However, parties receiving service by certified mail shall have 30 days from the date of receipt to file an appeal. Appeals must be filed in the Bureau of Land Management at the address identified above, where the requirements for filing an appeal may be obtained. Parties who do not file an appeal in accordance with the requirements of 43 CFR Part 4, Subpart E, shall be deemed to have waived their rights.

/s/ Terry R. Hassett

Terry R. Hassett
Chief, Branch of KCS Adjudication

cc:
Director (311)
Room 3653, Main Interior Building

NOV 24 1989

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
ALASKA

9-00163
4310-JA

(AK-967-4230-15)

Notice for Publication

AA-6980-A

Alaska Native Claims Selection

In accordance with Departmental regulation 43 CFR 2650.7(d), notice is hereby given that a decision to issue conveyance under the provisions of Sec. 14(b) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1613(b), will be issued to Huna Totem Corporation for approximately 4.13 acres. The lands involved are in the vicinity of Hoonah, Alaska.

Copper River Meridian, Alaska

T. 43 S., R. 61 W.,
Sec. 22.

A notice of the decision will be published once a week, for four (4) consecutive weeks, in the DAILY SITKA SENTINEL. Copies of the decision may be obtained by contacting the Alaska State Office of the Bureau of Land Management, 222 West Seventh Avenue, #13, Anchorage, Alaska 99513-7599 ((907) 271-5960).

Any party claiming a property interest which is adversely affected by the decision, an agency of the Federal government or regional corporation, shall have until (30 days from date of publication) to file an appeal. However, parties

receiving service by certified mail shall have 30 days from the date of receipt to file an appeal. Appeals must be filed in the Bureau of Land Management at the address identified above, where the requirements for filing an appeal may be obtained. Parties who do not file an appeal in accordance with the requirements of 43 CFR Part 4, Subpart E, shall be deemed to have waived their rights.

/s/ Terry R. Hassett
Terry R. Hassett
Chief, Branch of KCS Adjudication

cc:
Director (311)
Room 3653, Main Interior Building

APR 06 1990

Form 1310-5
(September 1986)

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

DOCUMENT FACE SHEET

Payee	GOVERNMENT PRINTING OFFICE			CODE	AMOUNT	Document Control number
Address						L974G1
						Cross reference number
City		State		Zip Code		0-00163
						Schedule or block number
Taxpayer Identification No.				Certifying Officer	Date	4310-JA
				Examiner	Date	Due Date

LINE NUMBER	ORGANIZATION		FUND CODE	COST CONSTRUCTION			GENERAL LEDGER	OBJECT CLASS		TRANSACTION CODE	OPERATION KEY	EXPENDITURE TYPE	EXAMINER ID CODE	AMOUNT	REFERENCE
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U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
ALASKA STATE OFFICE - ANCHORAGE, ALASKA

WEEKLY REPORT FOR FEDERAL REGISTER NOTICES

DOCUMENT TITLE

DECISION TO ISSUE CONVEYANCE

STATEMENT OF SENSITIVITY

ALASKA NATIVE CLAIMS SELECTION REQUIRES PUBLICATION

BRIEF DESCRIPTION OF NOTICE - INCLUDING CITATION OF AUTHORITY

DEPARTMENTAL REGULATION 43 CFR 2650.7(d) REQUIRES THAT NOTICE BE GIVEN THAT THESE
LANDS ARE INVOLVED IN A DECISION TO ISSUE CONVEYANCE.

DATE WORK STARTED ON NOTICE

MAY 4, 1992

DATE TO BE PUBLISHED

AS SOON AS POSSIBLE

AK 1550-4 (May 1991)

Illustration 8: Weekly Report

ROUTING AND TRANSMITTAL SLIP		Date
TO: (Name, office symbol, room number, building, Agency/Post)	Initials	Date
1. FEDERAL REGISTER ROOM 8301		
2.		
3.		
4.		
5.		
<input checked="" type="checkbox"/> Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	
REMARKS		
PLEASE NOTIFY THE PERSON LISTED BELOW OF BOTH THE APPEAL AND PUBLICATION DATES.		
DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions		
FROM: (Name, org. symbol, Agency/Post)	Room No.—Bldg.	
NAME	Phone No.	
BRANCH	(907) TELEPHONE #	
BLM, ALASKA STATE OFFICE		
<small>5010-102 * U.S. Government Printing Office: 1987-181-240/0000</small>	<small>OPTIONAL FORM 41 (Rev. 7-76) Prescribed by GSA FPMR (41 CFR) 101-11.206</small>	

Illustration 9: Routing Slip

AA-6980-A (2651)
(967) PKU/PAB

APR 06 1990

Daily Sitka Sentinel
Box 799
Sitka, Alaska 99835

Gentlemen:

Enclosed is a notice to be published once each week for four (4) consecutive weeks in the Daily Sitka Sentinel.

In order to reduce your republication expense, please send a tear sheet of the first published notice immediately to this office (Attention: Branch of KCS Adjudication) for proofing and verification. If there are errors in the first published notice, corrections must be made before the next publication.

After the fourth publication, please submit your invoice and appropriate tear sheets, together with one copy of our Advertising Order/Requisition Order.

A standard affidavit or proof of publication (notarized) must also be submitted for inclusion in our administrative file. Please send this and the documents listed in the paragraph above to the attention of Office Services (974A).

If you have any questions, please call Patricia Underwood at 271-5406.

Sincerely,

/s/ Terry R. Hassett
Terry R. Hassett
Chief, Branch of KCS Adjudication

Enclosures:
Notice for Publication
Advertising Order/Requisition Order (3)

Illustration 10: Glossary 39a

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
ALASKA

Notice for Publication

Alaska Native Claims Selection

In accordance with Departmental regulation 43 CFR 2650.7(d), notice is hereby given that decisions to issue conveyance under the provisions of Secs. 12(c), 14(h)(8) and 22(f) of the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), 43 U.S.C. 1601, 1611(c), 1613(h)(8), 1621(f), and the 1982 CNI Settlement Agreement of January 10, 1983, entered into pursuant to ANCSA and Secs. 1302(h) and 1430(a) of the Alaska National Interest Lands Conservation Act of December 2, 1980, Pub. L. 96-487, 94 Stat. 2371, 2475, 2531, will be issued to Chugach Alaska Corporation for approximately 127 acres. The lands involved are in the vicinity of Seward Meridian, Alaska.

<u>Serial Number</u>	<u>Land Description</u>	<u>Approximate Acreage</u>
AA-50379-7	T. 3 S., R. 10 E.	60
AA-50379-22	T. 2 N., R. 1 E.	67

A notice of the decisions was published in the FEDERAL REGISTER on DEC 07 1989. Any public easements to be reserved and third-party interests involved are identified in the decisions. Copies of the decisions may be obtained by contacting the Alaska State Office of the Bureau of Land Management, 222 West Seventh Avenue, #13, Anchorage, Alaska 99513-7599 ((907) 271-5980).

Any party claiming a property interest which is adversely affected by the decisions shall have until JAN 08 1990 to file an appeal. However, parties receiving service by certified mail shall have 30 days from the date of receipt to file an appeal. Appeals must be filed in the Bureau of Land Management at the address identified above, where the requirements for filing an appeal may be obtained. Parties who do not file an appeal in accordance with the requirements of 43 CFR Part 4, Subpart E, shall be deemed to have waived their rights.

/s/ Terry R. Hassett

Terry R. Hassett
Chief, Branch of KCS Adjudication

cc:
Public Room (973B)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
ALASKA

Notice for Publication

AA-6980-A

Alaska Native Claims Selection

In accordance with Departmental regulation 43 CFR 2650.7(d), notice is hereby given that a decision to issue conveyance under the provisions of Sec. 14(b) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1613(b), will be issued to Huna Totem Corporation for approximately 4.13 acres. The lands involved are in the vicinity of Hoonah, Alaska.

Copper River Meridian, Alaska

T. 43 S., R. 61 E.,
Sec. 22.

A notice of the decision was published in the FEDERAL REGISTER on **APR 05 1990**. Any public easements to be reserved and third-party interests involved are identified in the decision. Copies of the decision may be obtained by contacting the Alaska State Office of the Bureau of Land Management, 222 West Seventh Avenue, #13, Anchorage, Alaska 99513-7599 ((907) 271-5960).

Any party claiming a property interest which is adversely affected by the decision, an agency of the Federal government, or regional corporation, shall have until **MAY 07 1990** to file an appeal. However, parties receiving

service by certified mail shall have 30 days from the date of receipt to file an appeal. Appeals must be filed in the Bureau of Land Management at the address identified above, where the requirements for filing an appeal may be obtained. Parties who do not file an appeal in accordance with the requirements of 43 CFR Part 4, Subpart E, shall be deemed to have waived their rights.

Terry R. Hassett
Terry R. Hassett
Chief, Branch of KCS Adjudication

cc: Public Room (973B)

APR 06 1990

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
ALASKA

Notice for Publication

AA-8103-2

Alaska Native Claims Selection

In accordance with Departmental regulation 43 CFR 2650.7(d), notice is hereby given that the decision to issue conveyance (DIC) to Doyon, Limited, notice of which was published in the FEDERAL REGISTER, 44 F.R. 25937 to 25939, on May 3, 1979, is modified by limiting the season of use on easement EIN 8 L to winter use.

A notice of the modified DIC was published in the FEDERAL REGISTER on AUG 23 1988. Copies of the modified DIC may be obtained by contacting the Bureau of Land Management, Alaska State Office, 701 C Street, Box 13, Anchorage, Alaska 99513. ((907) 271-5980.)

Any party claiming a property interest which is adversely affected by the decision shall have until SEP 22 1988 to file an appeal on the issue in the modified DIC. However, parties receiving service by certified mail shall have 30 days from the date of receipt to file an appeal. Appeals must be filed in the Bureau of Land Management, Division of Conveyance Management (950), address identified above, where the requirements for filing an appeal may be obtained.

Parties who do not file an appeal in accordance with the requirements in 43 CFR part 4, Subpart E shall be deemed to have waived their rights.

Except as modified, the decision, notice of which was given May 3, 1979,
is final.

/s/ Stanley H. Bronczyk
Chief, Branch of Doyon Adjudication

cc:
Public Room (973B)
Public Room (975G)

Illustration 13: Glossary 217a (page 2 of 2)

Requesting Office AK-9XX	UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT ALASKA STATE OFFICE, ANCHORAGE, ALASKA ADVERTISING ORDER REQUISITION/ORDER	Order Number LEAVE BLANK Date FILL OUT					
Requisitioned by (Signature) FILL OUT		Deliver to (Street Address) Bureau of Land Management Alaska State Office (974B) 6881 Abbott Loop Road Anchorage, AK 99507					
Title FILL OUT							
Requisition approval by (Signature) ORIGINAL SIGNATURE							
Title BRANCH CHIEF OR ABOVE ONLY							
By approving this requisition, program official certifies that funds are available for this action in the accounts specified.							
Organ Code	Fund	Sub-Activity	Prog. Elem.	Proj.	Object Class	Amt.	Name of Publication
State Office	Code				Major Minor		FILL OUT
AK	XXX	00	XXXX	XX	25	7n	Address
							FILL OUT
Subject of Advertisement Case file number or survey number and Brief Description Specification for Advertisement							
Publish the attached text, set solid in single spacing in the classified advertising section under "Legal Notices" or "Public Notices" once a week, in the same daily issue, for four (4) consecutive weeks. Publication should begin in the issue closest to <u>FILL OUT</u> . MODIFY THIS AS APPLICABLE							
Copy For Advertisement (Indicate Which is Attached)							
_____ Text of Notice Attached _____ Typed pages to be set similar to sample in instruction below. _____ Camera-ready copy attached.							
Important notice: Tear sheet of first issue must be sent immediately to BLM (974B) for review. Publication of succeeding issues is to continue unless notification of required correction is timely received.							
Authority to Advertise Number October 30, 1984 1510.03D2 BLM Manual						Vendor FILL OUT	
BPA Order No. LEAVE BLANK			Date LEAVE BLANK			Contracting Officer Signature	
FOR AGENCY USE ONLY							
Advertisement Published In						Date Published	
I certify that the advertisement described above appeared in the named publication and that this account is correct and eligible for payment.							
Signature and Title of Verifying Officer						Date	
Signature and Title of Certifying Officer						Date	
AK 1510-9 (Oct. 1985)							

Illustration 14: Newspaper Publication Notice - Advertising Order AK 1510-9

