

BLM conveyed 13.6 million acres of Native lands

The Bureau of Land Management, custodian for much of the federal land in Alaska and the agency responsible for Native and state conveyances, reports a record number of acres changed hands during 1979.

Most of the land, about 7.6 million acres, was received by 39 Native villages and 5 regional corporations under terms of the 1971 Native Claims Settlement Act. In addition, the state received about 1.5 million acres during the year.

Most of the land, about 5 million acres, was received by 75 Native corporations under terms of the 1971 Native Claims Settlement Act. In addition, the state received about 1.5 million acres during the year.

The BLM's priority business during 1980 will continue to be land conveyances. State Director Curt McVee said he expects the pace to pick up and credits Assistance Secretary of the Interior Guy Martin with the necessary increases in staff and funding. McVee added, "current projections for 1980 are to reach a total of 20 million acres conveyed under ANCSA and we expect to process an additional 13.5 million acres for the state."

The 1979 figures bring total conveyances to village and regional corporations to nearly 13.6 million acres, almost one-third of the 44 million they are allotted under the Settlement Act. The Act entitles the regional corporations to receive the subsurface rights to these 44 million acres. The Act also entitles the regional corporations to surface and subsurface ownership of an additional 16 million acres, of which about 5 million acres have been conveyed to date.

Conveyances to the state since statehood now total 37 million acres. Of this, 16.8 million acres are tentatively approved and 20.2 million acres are patented. Under the Statehood Act, the state is entitled to 104 million acres.

The Settlement Act authorized

the largest private land transfer in U.S. history, directing conveyance of 44 million acres and almost a billion dollars to Alaska Natives.

"BLM's responsibilities under ANCSA are staggering," says McVee. "We are responsible for fulfilling 17 of the 27 sections of the Act."

BLM is responsible for interim management of Native selected lands, adjudication of selection applications, easement identifi-

cation, conveyance of title and surveying under the Act.

Although the Act calls for "immediate conveyance," the first round of village selections weren't due until December 1974. Before making selections, the Native peoples had to first organize regional and village corporations, elect boards of directors, evaluate the lands and resources and file their applications, all within three years. BLM also had to gear-up to han-

dle the massive job. In BLM's Branch of Lands and Minerals Operations, the land law examiners staff grew from eight in 1971 to 55 in 1977.

Between March 1974 and December 1978, the agency conveyed 5.9 million acres to Native corporations. Progress was slow because of the intricacies of the conveyance process and litigation over village eligibility and easements.

The eligibility of 11 villages was argued in court and the U.S. Circuit Court of Appeals in Washington, D.C. instructed the Secretary to make eligibility determinations. The eligibility of villages, pending as a result of litigation, will finally be determined by the Secretary of the Interior if by amendatory legislation in the d-2 bill.

The most controversial part of the adjudication process is easement identification, according to McVee. Under ANCSA, the Secretary was to reserve public easements "as he determines necessary." Two secretarial orders issued in 1976 provided guidelines for the establishment of local easements and policy for easement reservation for transportation of federally-owned energy, fuel and natural resources. Easements completed prior to those orders were brought into compliance with the new guidelines.

In May 1976, the Alaska Federation of Natives and six regional corporations filed suit against Interior. Conveyances were suspended, stopping just short of interim conveyance. Eventually agreements were signed between some corporations and Interior

which allowed conveyances to continue pending the outcome of litigation.

Judge James von der Heydt ruled in U.S. District Court in Anchorage against Interior's position on easements. New easements guidelines were developed and regulations were published. BLM is now trying to bring easements established under the old regulations into conformance.

Areas of high priority, such as those to be used by recreationists, are being processed as quickly as possible.

The biggest change occurred in mid-1978 when a massive reorganization of BLM-Alaska took place as a result of recommendations by Assistance Secretary Guy Martin.

A new ANCSA Division was created on July 1, 1978. In October, Judy Kammins Albeitz was named division chief with a staff of 60. Bob Arnold was named assistant to the state director-ANCSA in November. In the year since the reorganization, ANCSA conveyances have equaled the acres conveyed between 1974 and 1978.

Much of the final determination for both Native and state selection rest with completion of the field survey. This has required the BLM's Division of Cadastral Survey to undertake the most sophisticated and massive cadastral surveying program in history.

The division is keeping up with the selection process.

Projections for 1980 call for nearly 2.5 million acres to be surveyed for possible Native conveyance and about 1.5 million for future state selection.