

# Rules set for government lands under ANCSA

Proposed rulemaking that will implement section 3(e) of the Alaska Native Claims Settlement Act was published in the Federal Register on September 18, 1979. Comments must be received by November 19, 1979.

Section 3(e) established the procedures to be used by the Department of the Interior to determine what lands were in "actual use" by the government agencies during a period specified by the Act. Lands used by federal agencies to carry out defined missions were not available for selection under ANCSA.

Four categories for "actual use" of federal land would be defined. Category one would include lands used in direct support of agency programs such as the land on which a federal installation is located.

The second category, land for reasonable buffer zones, would encompass areas needed for necessary safety, maintenance and other measures.

The third category would include land used by non-governmental entities or private persons. Included in this group is land that has a direct and necessary connection to a federal agency mission such as a public parking lot at a federal installation.

Land in use on Dec. 18, 1971, and still in direct use by a federal agency such as a gravel or other material site used in connection with its operation is included in the fourth category.

Land from which the agency derives revenues through leases or permits would not be considered "actually used" unless the lease has some direct, necessary, and substantial relationship to the agency's mission.

Public comments are specifically requested to determine whether the term "actually used" should include land assets held by an agency as of Dec. 18, 1971, to meet future needs in implementing its mission as established by law.

Comments will be accepted until Nov. 19, 1979 and should be sent to the Director (650), Bureau of Land Management, 1800 C Street, N.W., Washington, D.C. 20240. Copies of the proposed rulemaking are available from the BLM Public Room, located on the first floor of the Anchorage Federal Building, 701 C Street, Box 13, Anchorage, Alaska 99513.