

LANDS & REALTY ALTERNATIVES

MANAGEMENT GUIDANCE COMMON TO ALL ALTERNATIVES

LAND DISPOSALS

Entitlement and Settlement: Provide support in the implementation and conveyance of lands pursuant to legislative mandates.

These mandates include the Alaska Statehood Act, Alaska Native Claim Settlement Act, and the 1906 Native Allotment Act.

Federal Land Policy and Management Act (FLPMA) Section 203: Public lands meeting one or more of the following criteria could be disposed of through FLPMA Sec. 203:

1. A tract which was acquired for a specific purpose and is not longer required for that or any other federal purpose.
2. A tract whose disposal would serve important public objectives, including but not limited to, expansion of communities and economic development, which cannot be achieved prudently or feasibly on other than public lands and which outweigh other public objectives and values, including but not limited to, recreation and scenic values, which would be maintaining such a tract in federal ownership.
3. Such tract, because of its location or other characteristics is difficult and uneconomic to manage as part of the public lands and is not suitable for management by another federal department or agency. Note: Lands identified for disposal under this authority that are selected by either State or Natives would have to be adjudicated before the Bureau would entertain a sale. By identifying these lands for disposal we are merely saying that if these lands become unencumbered within the life of the plan, then they would be suitable for disposal under this authority and have been properly identified through the planning process.

Lands not to be disposed of:

1. Lands withdrawn from the public land laws or segregated by State or Native selection.
2. Land within mining claims or record under section 314 of FLPMA will not be disposed of unless BLM policy is changed in the future to allow for their disposal.
3. Lands within Wild and Scenic River corridors.

OTHER DISPOSALS

Recreation and Public Purposes Act:

1. Land identified for disposal under this authority that are selected by either the State or Native would have to be fully adjudicated before the Bureau would entertain a sale. By identifying these lands for disposal we are merely saying that if these lands become unencumbered within the life of the plan, then they would be suitable for disposal under this authority.
2. In most instances, BLM would first lease lands under this act and only convey the lands after the project is constructed in compliance with an approved development and management plan. An important exception to this would be tracts proposed as sanitary landfills, which would always be sold; they would not be leased.
3. Application for tracts to be used as a sanitary landfill would only be conveyed with a clause that would prohibit reversion to the federal government.
4. Existing leases shall be converted to patents if the lands are used for sanitary landfills.

Act of August 1, 1956 Public Land Order (PLO1613 Sales): BLM would continue to convey PLO 1613 lots to qualified applicants. PLO 1613 lots only exist along the Glenn, Richardson, and Tok Cutoff highways.

Airport and Airway Improvement Act of September 3, 1982: Process Airport conveyances as requested by the FAA. Each conveyance shall contain appropriate covenants and reservation requested by FAA. As a condition to each conveyance, the property interest conveyed shall revert to the federal government in the event the lands are not developed for airport or airway purposes or are used in a manner inconsistent with the terms of the conveyance.

Exchanges: BLM would strive to process mutually benefiting public interest land exchanges. Exchanges are authorized in Alaska by FLPMA, ANCSA, and ANILCA. When considering public interest, full consideration shall be given to efficient management of public lands and to secure important objectives including: protection of fish and wildlife, cultural resource, wilderness and aesthetic values, enhancement of recreational opportunities, consolidation of mineral and timber holdings for more logical and efficient management expansion of communities, promotion of multiple-use values, and fulfillment of public needs. Exchanges will not be actively sought out until State and Native entitlements are fulfilled.

Acquisitions: Acquire private lands through purchase or exchange with willing owners within areas identified for long-term federal management and retention and to further the programs of the Secretary, including access. When feasible, BLM would acquire less than fee title to property if management goals could be achieved.

LAND USE AUTHORIZATIONS

FLPMA Leases: All FLPMA lease would be at fair market value. No lease would be issued within the W&SR corridors. Cabins or permanent structures used for private recreation cannot be authorized under this authority. FLPMA lease proposals on selected lands must include a letter of non-obligation from the selecting entity. Proposals for leases for cabins for commercial uses (such as guiding or trapping) will be subject to the following criteria:

- Proximity to other private property or existing authorized structures.
- Proximity to existing transportation routes or systems.
- Documentation of the profitability/reliance of the trapping lifestyle.

R&PP Leases: R&PP lease would not be issued for sanitary landfill purposes. Existing lease for sanitary landfill purposes may be converted to patents without a reverted clause. No lease would be issued for the W&SR corridors. R&PP lease proposals on selected land must include a letter of non-objection from the selecting entity.

Permits: Permits cover occupancy, use or development of a site. Specific exclusion areas are listed in the table. In general:

- Cabin or permanent structure permits cannot be issued for private recreation uses.
- Trapping Shelters would be authorized by short-term (three years maximum) Section 302 permits renewable at the discretion of BLM and tied to the applicant's ability to show actual use for profitable trapping purposes. Guide shelters would only be authorized in conjunction with Special Recreation Permits issued under FLPMA authority. Criteria for consideration of issuance of such permits is the same as described above for cabin leases.

Regarding permits, Selected lands would be treated as follows:

Native selected: prior to issuance of a use authorization, the BLM would require the applicant to solicit comment from the Native corporation and submit the comments to the Authorizing Officer as part of the application process. If the corporation objects to the proposal, BLM may proceed with issuance only if the State Director determines that the proposal is deemed to be in the public good. Monies received for any use authorization on Native-selected lands would go into an escrow account.

State selected: In accordance with 906(k) of ANILCA, BLM must receive a letter of concurrence prior to issuance of any use authorization. BLM may then incorporate comments in the terms and condition of the use authorization if in compliance with federal laws and regulations. If the State objects, BLM would not issue the use authorization. If the proposal is on land which is not available within the meaning of the Statehood Act but has been top-filed by the State pursuant to 906 (e) of ANILCA, a letter of concurrence is not required.

ALTERNATIVES – Lands & Realty

Unauthorized Use: Trespass cabins may become the property of the U.S. Government and be managed as administrative sites, as emergency shelters or as public use cabins. Possible management actions on trespass cabins include:

1. Removal of the structure
2. Relinquishment to the U.S. for management purposes
3. Authorization by lease or permit for legitimate uses if consistent with identified area goals and objectives.

Under numbers 2 and 3, the criteria listed above for cabins under Lease and Permits would be used. Criteria for prioritizing unauthorized cases are as follows:

- Situations involving new trespass, public safety, public complaints
- Areas identified for long-term federal management (W&SR corridors): highest priority, or other unencumbered lands.
- Selected lands on which resources area being removed without authorization or where resource damage is occurring.
- Other selected lands.

Implementation level planning: An implementation-level plan will be done for the Slana settlement area to determine specific method of disposal, determining fair market value, access by home site owners, survey need (if any), and clean-up.

ALTERNATIVES – Lands & Realty

DIFFERENCES IN MANAGEMENT GUIDANCE BY ALTERNATIVE				
Management Actions	Alternative A: Current management	Alternative B: Development end of spectrum	Alternative C: Conserve, maintain end of spectrum	Alternative D
SECTION 302 FLPMA DISPOSAL				
Slana disposal	No disposals would occur other than resolution of failed claims	Lands will be available for disposal to public at large by competitive or modified bidding procedures.	Same as A	All lands within the Slana settlement would be available for FLPMA Sec 203 disposal, under the following scenarios: <ol style="list-style-type: none"> 1. May be sold non-competitively to the entryman where the lands contain improvements which are still owned, occupied or used by the entryman. 2. Lands may be sold with a preference right to a failed entry man where improvements exist which are owned but not longer used by the failed entry man. 3. Lands may be sold to the general public at large by competitive or modified competitive bidding procedures.

ALTERNATIVES – Land & Realty

Management Actions	Alternative A: Current management	Alternative B: Development end of spectrum	Alternative C: Conserve, maintain end of spectrum	Alternative D
R&PP Disposal	No lands currently identified for disposal.		No lands would be disposed of.	Specific tracts identified, include isolated, unmanageable tracts resulting from highway re-alignment.
Acquisition	Wild and Scenic River corridors currently emphasized for acquisition opportunities.			Acquire private inholdings within the following areas: <ol style="list-style-type: none"> 1. W&SR corridors 2. Bering Glacier RNA
LAND USE AUTHORIZATIONS				
Leases (FLPMA)	Lands considered on a case-by-case basis.	See specific ACEC and SRMA tables. Outside these areas, leases considered on a case-by-case basis.	FLPMA lease proposals would be considered on a case-by-case basis in the Delta Bison ACEC, Nelchina calving ACEC, West Fork ACEC, Tielkel SRMA, and Denali SRMA, contingent on being consistent with the protection of values identified.	FPLMA lease proposals would not be accepted for lands within the Gulkana SRMA and avoided within the Delta SRMA. FLPMA lease proposals would be considered on a case-by-case basis in the Bering RNA, contingent on being consistent with the protection of values identified. Other public lands within the Glennallen district would be open to FLPMA lease proposals for qualifying purposes, subject to site-specific analysis.
Leases (R&PP)				Same as for FLPMA leases

ALTERNATIVES – Land & Realty

Management Actions	Alternative A: Current management	Alternative B: Development end of spectrum	Alternative C: Conserve, maintain end of spectrum	Alternative D
PERMITS (FLPMA SEC. 302)				
Occupancy	Lands considered on a case-by-case basis.	See specific ACEC and SRMA tables. Outside these areas, permits considered on a case-by-case basis.	No new occupancy permits would occur in proposed ACECs. Existing occupancy permits would be considered in these areas subject to the criteria listed above. No occupancy permits in the Denali SRMA, and they are not recommended in areas managed for a primitive experience within the Tielke SRMA. Outside these areas, permits considered on a case-by-case basis.	Occupancy permits would be considered contingent on criteria identified above. No new occupancy permits would occur in the Bering RNA. Existing occupancy permits would be considered in this area subject to the criteria listed above. Occupancy permits would be considered in the Gulkana SRMA if consistent with the values for which the W&SR was established. No occupancy permits in the Delta SRMA.
Non-occupancy	Lands considered on a case-by-case basis.	See specific ACEC and SRMA tables. Outside these areas, permits considered on a case-by-case basis.	See specific ACEC and SRMA tables. Outside these areas, permits considered on a case-by-case basis.	Non-occupancy permits would be considered in all RNAs, W&SRs, and SRMAs, only if consistent with the values identified in the area for protection or enhancement.

ALTERNATIVES – Land & Realty

Management Actions	Alternative A: Current management	Alternative B: Development end of spectrum	Alternative C: Conserve, maintain end of spectrum	Alternative D
Military Permits	Lands considered on a case-by-case basis.	See specific ACEC and SRMA tables. Outside these areas, permits considered on a case-by-case basis	Permits would be seasonally restricted in the Delta bison, Nelchina, and West Fork ACECs and would not be permitted in areas managed for a primitive recreation experience in the Tiekel SRMA. They would be seasonally restricted in all critical moose winter range, in primary trumpeter swan breeding habitat, and in ADF&G designated controlled use areas. Outside these areas, permits considered on a case-by-case basis	Permits for military use would not be issued for the following lands: <ol style="list-style-type: none"> 1. Bering RNA 2. Gulkana, Delta, & Denali SRMAs 3. Slana settlement area They would be seasonally restricted in all critical moose winter range, in primary trumpeter swan breeding habitat, and in ADF&G designated controlled use areas.
WITHDRAWALS				
ANCSA d(1)	All ANCSA d(1) withdrawals are in place, as modified by the subsequent PLOs.	Revoke all d(1) withdrawals	In addition to those identified in Alternative D, the following d(1) withdrawals would be maintained against mineral leasing and locatable mineral entry:	Recommend maintenance of the following d(1) withdrawals: <ol style="list-style-type: none"> 1. Scenic and recreational portions of the Delta W&SR corridor; 2. PLO5180 within the Denali SRMA (closed to mineral leasing) on lands retained in federal ownership. 3. ANCSA d(1) that closes West Fork

ALTERNATIVES – Land & Realty

Management Actions	Alternative A: Current management	Alternative B: Development end of spectrum	Alternative C: Conserve, maintain end of spectrum	Alternative D
ANCSA d(1) (cont.)			<p>1. PLO 5179 which provides the “outer corridor” on the Gulkana W&SR</p> <p>2. d(1) within the Nelchina ACEC</p> <p>In addition, the following PLO modifications would be recommended: Modify PLO 6329 to exclude leasable minerals from West Fork ACEC and modify PLO 5180 or recommend withdrawal of Denali SRMA to leasable minerals and mineral entry.</p>	<p>area to locatable mineral entry (this is maintenance of recommendation of Denali-Tiekel amendment)</p> <p>4. PLO 5179 in Bering RNA. ANILCA withdrawals within Wild portions of the Delta and Gulkana would be maintained. All other d(1) withdrawals applicable to BLM-managed lands within the planning area would be recommended for revocation.</p>
PLO 5150 (pipeline/utility corridor)	<p>PLO 5150 currently maintained for use as utility/transportation/pipeline corridor. This unencumbered BLM land provides the majority of the federal subsistence hunting area.</p>	<p>Modify PLO 5150 to allow for mineral entry (leasing and locatable) in all but the pipeline ROW and to allow for State selection.</p>	<p>Modify PLO 5150 to exclude metaliferous metals.</p>	<p>Recommend maintenance of PLO 5150 (as amended to include 5151), with one exception: modify to allow disposal of scattered, unmanageable parcels created by re-alignment of Richardson Highway, subject to site-specific analysis.</p>