

HJR

26



Alaska State Legislature

Representative Anna Fairclough – House District 17

House Joint Resolution 26

“Urging the United States Congress to adequately fund land surveys in Alaska in order to issue patents to the State of Alaska and Alaska Native corporations.”

House Joint Resolution 26 urges the United States Congress to adequately fund land surveys in Alaska in order to issue patents to the State of Alaska and Alaska Native Corporations. This is critical concern in Alaska because surveys and subsequent land patents issued to the State and Native Corporations are critical to the future use and development of land in Alaska.

At Statehood, Alaska was granted a land entitlement from the federal government of 103,350,000 acres. Alaska Natives, through the Alaska Native Claims Settlement Act (ANCSA), were granted a land entitlement from the federal government of over 45 million acres. In 2004, Congress passed the Alaska Land Transfer Acceleration Act (ALTAA) with the intent of largely completing state and ANCSA land entitlements by 2009.

The United States Bureau of Land Management (BLM) has aggressively and diligently worked to implement the ALTAA, however, despite BLM’s efforts, considerable land conveyance work remains to be accomplished, particularly in the area of land survey. Land surveys are necessary to issue patents to the state and ANCSA Corporations, and are essential to determining with certainty what lands are owned by the state and ANCSA corporations. This certainty regarding boundaries and ownership is needed long term for land use and development.

Congress provided interim title to the state and ANCSA corporations by granting Tentative Approval (TA) to the State and Interim Conveyance (IC) to ANCSA Corporations, but with the understanding that the land would eventually be surveyed and patent issued. Under both the Statehood Act and ANCSA, the federal government is responsible for preparing these land surveys. As of December 31, 2008, over 66 million acres of land still awaits patent in Alaska, including more than 40 million acres of land that has been TA’d to the State and 14 million acres IC’d to ANCSA corporations, and over 12 million additional acres await conveyance.

This resolution asks the United States Congress to budget sufficient funds to BLM to ensure the timely completion of land surveys in Alaska in order that land promised to Alaska Natives and the State of Alaska can be patented. This is especially important with current federal budget constraints.

I urge your support on the passage of this legislation.

Session: Alaska State Capitol • Juneau, AK 99801 • 907-465-3777 • Fax 907-465-2819

Interim: 10928 Eagle River Road, Suite 238 • Eagle River, AK 99577 • 907-694-8944 • Fax 907-694-8945

Representative_Annna_Fairclough@legis.state.ak.us

Fact Sheet



Division of Mining, Land & Water
March 2000

Title: Land Ownership In Alaska

Current land ownership in Alaska can be traced back to three main events in the state's history.

- ◆ Russian traders arrived in Alaska in the mid-1700's and established small, scattered trading posts and settlements. Alaska Natives (the Eskimo, Indian, and Aleut peoples) continued as the primary "landowners" during this period of Russian occupation.

On October 18, 1867, Russia sold Alaska to the United States government. As a result, the federal government owned the Alaska Territory, approximately 375 million acres (about one-fifth the size of the continental U.S.).

- ◆ Alaska became a state in 1959. The federal government granted the new state 28% ownership of its total area. Approximately 103,350,000 acres were selected under three types of grants: Community (400,000 acres), National Forest Community (400,000 acres), and General (102,550,000 acres). Additional territorial grants, for schools, university and mental health trust lands, totaling 1.2 million acres were confirmed with statehood. All grants combined gave the State of Alaska approximately 105 million acres.
- ◆ In 1971 Congress passed the Alaska Native Claims Settlement Act (ANSCA). This law granted 44 million acres and 1 billion dollars to village and native corporations created under the act. Generally, ANSCA gave Native selections priority over state land selections.

State Land

To date, the state has received patent to approximately 85% (90 million acres) of its total land selections. The state was permitted to select lands, from any federal land not already reserved for other uses, to provide:

1. Land and resources to support the state's economy for road construction, economic development, and building houses, schools, and other public and private facilities.
2. A reduction in federal control over state internal affairs by giving the state ownership and jurisdiction over its own land.

The state chose land to meet three specific needs - settlement, resources and recreation.

Settlement – The State of Alaska selected land to encourage development and settlement. Land for public facilities, road construction and other public needs were included. Once owned, the state transfers large tracts of land to local governments, and leases and disposes of land to the private sector. There are approximately 580,000 acres currently in the state's land disposal bank for eventual lease or sale.

Resources - The Alaskan economy is based on exploration for and the development of natural resources. Lands were selected for agriculture, forestry, commercial fisheries, mining potential, oil and gas development, and wildlife habitat.

Recreation – Lands for wildlife, back-country recreation, and varying degrees and types of developed recreation were chosen and reserved to provide a variety of experiences for Alaskans and the tourist industry.

Once land is selected, land planners develop state land use plans. Planners consider laws and policies set by the Governor and state legislature, the character of the land itself, recommendations made by resource experts and public input to determine the most appropriate management of currently owned or selected state land. Plans are developed for land in selected status in anticipation of its conveyance to the state.

Federal Land

The federal government is still the largest landowner in Alaska with 60% of the total area (222 million acres). This acreage includes national parks, wildlife refuges, national forests, military reservations and the North Slope National Petroleum Reserve. More than a dozen federal agencies manage federal lands in Alaska.

The majority of federally owned lands have been set aside for public use (approximately 80 million acres). These are designated as follows:

The National Park Service and Fish and Wildlife Service manage about 119.3 acres (48.3 and 71.0 million acres respectively) for primary uses of resource protection and fish and wildlife conservation.

The Forest Service and Bureau of Land Management manage about 97.7 million acres (19.8 and 77.9 million acres respectively) for multiple use purposes including timber production, fish and wildlife, recreation, water and mining. Management of these lands is based on priorities and compatibility among various uses.

The remaining federal land is designated for special purposes, such as military reservations, the National Petroleum Reserve and U.S. Postal Service lands.

Native Lands

Native lands are private lands. The Alaska Native Claims Settlement Act, passed by Congress in 1971, mandated the creation of regional and village Native corporations for the disbursement of the 44 million acres and payment of one billion dollars mandated to Native ownership.

Thirteen regional corporations were created for the distribution of ANSCA land and money. Twelve of those shared in selection of 16 million acres, the thirteenth corporation, based in Seattle, received a cash settlement only. 224 village corporations, of 25 or more residents, shared 26 million acres. The remaining acres, which include historical sites and existing native-owned lands, went into a land pool to provide land to small villages of less than 25 people.

Other Private Land

Land in private ownership (other than Native land) comprises less than one percent of the total land in Alaska. Much of the best land for development around Alaska's communities is, or will be, privately owned. Private land development meets people's needs by providing places to live, work, shop and recreate. It also provides a tax base for cities and communities to help support public services.

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HJR 26
 () Publish Date: _____

Identifier (file name): _____ Dept. Affected: _____
 Title STATEHOOD/ANCSA LAND SURVEY FUNDING RDU _____
 Component _____
 Sponsor REPRESENTATIVE FAIRCLOUGH, Joule, Foster, Thomas... Component Number _____
 Requester _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
OPERATING EXPENDITURES								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING		0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
-----------------------------	--	--	--	--	--	--	--	--

CHANGE IN REVENUES ()								
-------------------------------	--	--	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2009) cost: _____

POSITIONS

Full-time								
Part-time								
Temporary								

ANALYSIS: (Attach a separate page if necessary)

Prepared by: House Resources Committee Phone 465-3715
 Division _____ Date/Time _____
 Approved by: Representative Craig Johnson, Co-Chair Date 4/3/2009
House Resources Committee



Alaska State Legislature

Representative Anna Fairclough – House District 17

MEMORANDUM

Date: March 25th, 2009

To: Representative Johnson
Chair

From: Representative Anna Fairclough

Re: HJR 26 “Urging the United States Congress to adequately fund land surveys in Alaska in order to issue patents to the State of Alaska and Alaska Native corporations.”

I am requesting a hearing for HJR 26 “Urging the United States Congress to adequately fund land surveys in Alaska in order to issue patents to the State of Alaska and Alaska Native corporations” at your earliest convenience. I have attached the relevant materials for your committee.

Thank you in advance for your consideration.

Attachments:

- I. HJR 26 Sponsor Statement
- II. HJR 26
- III. Backup Documentation