

**Alaska Native Claims Settlement Act (ANCSA)
Section 14(C) Workshop**

Day 1

8:30 a.m.

Introductions 1

Workshop Overview

Special Topics to be Addressed 2

Differences Between the Concepts of Land-Use & Ownership 3

- Land-Use
- Land Ownership
 - European Approach
 - Property Rights
 - Revenue Generation
 - Development
 - Types of Documents
 - Deeds
 - Permits
 - Leases
 - Easements
 - The "Paper-Electronic" System
 - Transferability of Ownership
 - Ownership "Doughnut Holes"
 - Absentee Landlords

9:30 a.m.

BREAK

ANCSA 5

- Nothing Like it Before
- How We Got It
- Why Section 14(c) Exists

How to Determine Where the Land Is 6

- Rectangular Survey System
- Types of Land Legal Descriptions
 - Aliquot Part
 - Metes - & - Bounds
 - Lot & Block

Deeds 7

- Warranty
- Quitclaim
- ICs
- Patents

10:45 a.m. BREAK

Land Protections..... 8

Section 14(c) - The Law..... 9

- 14(c) (1)
 - Explain and Answer Questions
 - Site Map
- 14(c) (2)
 - Explain and Answer Questions
- 14(c) (3)
 - ANILCA Amendment
 - Explain and Answer Questions
 - MOB Examples
- 14(c) (4)
 - Explain and Answer Questions

Section 14(c) - What "The Law" Means..... 12

- Applies only to village corporations
- Affects only the surface estate of all lands
- Must be done
- No deadline
- Represents a "cloud on title"
- Have to "give land back"

Noon LUNCH

1:30pm THE OVERALL PROCESS..... 13

- 14(c) Training
- Planning
- Adoption of Budget & Time Line
- Staffing..... 14
- Development of Materials
- Announcement of Program for 14(c)(1,2)..... 15
- Acceptance of Applications 16
- Correspondence
- Documentation 17
- Review Applications
- Field Exams..... 18
- Form a Claim Review Committee
- Preliminary Decisions..... 19
- Appeal
- Final Decisions

- Appeal 20
- Board of Directors
 - Board of Appeals
 - Court Suit
- Initiate 14(c) (3) Planning 21
- Map 14(c)(4)
- Draft Map of Boundaries (MOB) 22
- Review & Approve MOB
- Community Meeting
- 1 - Year ANILCA "clock" 23
- Finalize Plan of Survey
- BLM Survey
- Platting 24
- Write Deeds 25
- Record Deeds
- Distribute Deeds

2:45 p.m. BREAK

THE PROCESS IN DETAIL 27

- Training
 - I hope you can see the importance of understanding all this before you start.
 - Everything is interconnected.
- Planning
 - Determines success.
 - Most important part of project.
 - Execution is easy with good planning.
 - Delegation of authority.
 - Board expectations.
 - Goals & objectives.
- Adoption of Budget & Time Line
 - Can be very expensive project.
 - May need to budget in "phases."
 - Need a performance schedule.
 - Need milestones.
 - Need performance reviews & revisions.
 - BE REALISTIC!
 - MUST keep Project Moving Forward!
- Staffing 28
 - May need detailed training; will probably need mentoring.
 - One knowledgeable person in-charge.
 - Application Review Committee.

4:00 p.m. BREAK

Development of Materials 29

- Village corporation specific.

- Policy and Procedures for 14(c) (1-4).
- Notices
 - Newspaper
 - Local Radio

5:00 p.m. End Of Day 1

DAY 2

8:30 a.m. Development of Materials (continued).....29

- Applications.
- Correspondence
- Application Review Checklist.....30
 - Map all land ownership
 - Set-up applicant files by type
 - 14(c)(1) - alphabetized
 - 14(c)(2)
 - 14(c)(1,2) Site Maps
 - Summary Report by type
- Land Committee Packet.
- Preliminary Decision Sheet.
- Final Decision.
- Recommendations to Board.....31

Announcement of Program

- As a minimum, the Policy and Procedures, Notices, and Applications must be finalized prior to the program being publicly announced.
- Letters to shareholders.
- Notices to newspapers.
- Local radio station.
- Corporation website.

Acceptance of Applications32

- Set deadline.
- Accept late applications.

9:30 a.m. BREAK

Correspondence.....32

- Complete "paper trail" is critical!
- When application is received.
 - For additional information.
- Following preliminary decision.
- Following final decision.
- Before going to Board of Directors.
- After board decision
 - Remaining steps and time frame.

Documentation.....33

- Everything **MUST** be documented
 - Memories fade
 - Staff turnover
- Time passes
 - Project may go slowly
 - Priorities may change
- Decisions must be based on facts
- Everyone must be treated equally
- Court suits.

Review Applications.....35

- By staff
- Set-up file by type
- Check land status first
- Go through checklist
- Request needed information in writing
- Map site
- Follow-up on needed information
- Post '71s

10:45 a.m. BREAK

Field Examinations.....36

- Only those in corporation land
- Only those where application is complete
- Carry all needed information
- Prepare site map
- Take photographs
- Group by location
 - 1 1/2 exams per day
- Spike camp
- Two person minimum
- Complete all notes on return to office

Claim Review Committee.....37

- will need detailed training on all aspects of program

Preliminary Decisions.....38

- By Application Review Committee
- Review all applications before any final decisions
- Appeals
 - Unsuccessful applicant may challenge decision

Final Decisions

- By Application Review Committee
- Appeals

- Unsuccessful applicant may challenge decision

Board of Directors Decision.....39

- Appeal
- Court

Noon LUNCH

1:30 p.m. Initiate 14(c) (3) Planning.....39

- Corporation Board strategy
 - Goals, objectives
 - Time frame
 - Land retention
 - Expense
 - Tax deductions
- With City government.....40
 - Letter of agreement.
- With AVE and MLT.....41
- Best approach
- Status of R-O-Ws.....42
 - Dedications
 - Conveyance
- 22(g) villages.....43
- Town sites
- MLT regulations
- Reverter clauses.....44

2:30 p.m. BREAK

Map 14(c) (4) Reconveyance.....44

Draft Map of Boundaries

Review and Approve MOB

- Corporation
- City or AVE & MLT
- BLM

Community Meeting.....45

- Show & explain MOB.
- Explain "ANILCA Clock."
- Explain MOB challenge process, Plan of Survey, survey, platting, deed preparation, reconveyance.

"ANILCA Clock"

Plan of Survey.....46

BLM Survey

- BLM will survey only once.
- Private survey alternative.

Platting

Prepare Deeds.....47

- Require "Acceptance" by recipient.
- Record Deeds
- Distribute Deeds

Decisions to be made48

- The level of needed information.
- Applications on Selected Land.
- Delegation of Board authority.

4:00 p.m. BREAK

Suggestions.....49

- Be inclusive, not exclusive.
- Must be organized and efficient.
- Keep people informed of status along the way.
- Keep it as simple as possible!
- Keep-it-moving!
- Don't be bullied.
- Be aware of possible scams. Don't allow cheating.
- Keep individual files confidential.
- Keep excellent records of all costs for later submittal.
- May need affidavits.
- Be practical and realistic. Don't "fall on your sword." Don't be a "literalist." Use your rules as a guide. This is an "art."
- Use forms for consistency.
- Use Disclaimers of Interest for 14(c) (3).
- Use permits and leases for land-use prior to 14(c) Reconveyance.

Be Aware.....50

- Land Bank protections disappear with reconveyance.
- Court cases.
- Every village situation is different.
- Recording deeds is not required.
- The quiet title option.

5:00 p.m. End Of Day 2