

MEMORANDUM OF UNDERSTANDING**Between****THE UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT-ALASKA****And****THE STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES****Concerning****Rectangular Survey Plats Tracting**

- I. Purpose. Memorandum of Understanding (MOU) (AK-930-2000-06) between the Bureau of Land Management (BLM) and the State of Alaska Department Mining, Land & Water, Department of Natural Resources (DNR) is updated for the purpose of continuing implementation of policy whereby future BLM Official Rectangular Survey Plats shall be tracted.
- II. Objective. The parties to this MOU have a cooperative work relationship due to their mutual interest in land management and land conveyances. In accordance with provisions of the Alaska Statehood Act of July 7th, 1958, as amended, BLM has and will create official rectangular Survey plats for the conveyance of State land selections. The objective of this MOU is to set forth the policies that will lessen legal and financial difficulties during the State's management of lands depicted on the BLM Survey Plats.
- III. Authorities.
 - A. BLM enters into this MOU (agreement) under the authority provided in 43 USC 1737(b).
 - B. DNR enters into this agreement under the authority provided in AS 8.05.020(b)(2).
- IV. Procedure. The BLM has been following the section protracted lotting scheme defined in the **Manual of Surveying Instructions for the Survey of Public Lands of the United States**, 2009, sections 3-101 through 3-109. In order to better serve the State's interest, and wherever possible, the BLM shall institute policy to depict surveyed lands as tracts on Official Rectangular Survey Plats. Such depictions are subject to the following conditions:
 - A. Whenever lands to be surveyed contain Federal mining claims that have been or

will be excluded from a conveyance to the State, the BLM agrees the surveyed lands will be platted using conventional lotting. This method will allow BLM and the State to continue to implement paragraph III C. of the "Agreement Regarding Conveyances to the State of Alaska," dated August 19, 1986, an agreement made and entered into by and between the State DNR and the BLM.


- B. If adjacent lands contain Federal mining claims, BLM agrees to notify the State. The State agrees to indicate its preference for tracts or protracted, lotted sections on a case-by-case basis.
- C. Whenever ownership patterns are such that the surveyed lands can best be defined by conventional lotting, the lands shall not be tracted.
 - 1) BLM agrees to keep the State informed about planned survey activity on tentatively-approved or State-selected land.
 - 2) In return, the State agrees to notify BLM of any instances in which it prefers to receive title based on conventional lotting rather than tracting.
- D. Regardless of the platting method it uses, the BLM agrees to monument the boundaries of lands it conveys to the State. Monuments will be placed on an average of every two miles along the perimeter of the selection and at angle points. The BLM will monument the shared boundaries between conveyances made pursuant to Sec. 906(b) of the Alaska National Interest Lands Conservation Act, 94 Stat. 2371 at 2437, 43 U.S.C. 1635(b); the University Grant Act of January 21, 1929, 45 Stat 1091, as amended; the Alaska Mental Health Enabling Act of July 28, 1956, Pub. L. 84-830, 70 Stat. 709, as amended; and Sec. 6 of the Alaska Statehood Act of July 7, 1958, Pub L. 85-508, 72 Stat. 339, as amended. The BLM is not required to monument the shared boundary between National Forest Community Grant conveyances and Public Domain Community Grant conveyances authorized by Sec. 6(a) of the Alaska Statehood Act, as amended, or between General Grant conveyances authorized by Sec. 6(b) of the Alaska Statehood Act, as amended, and any Sec.6(a) Community Grant conveyances.

V. Administration.

- A. Nothing in this MOU will be construed as affecting the authorities of the participants. Nothing will be construed as binding beyond the participant's respective authorities, or to require participants to obligate or expend funds in excess of available appropriations.

- B. Conflicts between participants (as a result of covenants stated in *IV. Procedure*) which cannot be resolved at the operational level will be referred to successively higher levels for resolution.
- C. Participants shall review this MOU at least every 5 years to determine its adequacy, effectiveness and continuing need.
- D. Terms of this MOU may be renegotiated at any time following at least 30 Days notice to the other participant.
- E. This MOU shall become effective when signed by both parties. The MOU shall continue until written termination by mutual agreement, or by either party giving 30 days prior written notice to the other.

APPROVED:



Director, Division of Mining, Land and Water
Department of Natural Resources

16 AUG 2012
Date



State Director, Alaska
Bureau of Land Management

8-30-12
Date