

EASTERN STATES LANDS IDENTIFICATION PROJECT CHARTER

May 2005

I. Purpose

The purpose of this charter is to define the goals, membership, roles, responsibilities, and operations for the Lands Identification Project (LIP).

II. Strategic Goal

The Lands Identification Project is directed to complete the identification of the remaining scattered tracts of public domain land under the jurisdiction of the Bureau of Land Management-Eastern States (BLM-ES) by the end of Fiscal Year 2008. This strategic goal is outlined in the BLM-ES Futuring document and is a State Director priority. The Land Tenure Planning Schedule and land use plans (LUPs) will serve as the guiding documents for planning and prioritizing the workload under this strategic goal.

III. Background

The BLM-ES has a long history of researching and identifying scattered land tracts to determine remaining public domain land within its jurisdiction. Of the 31 states under the jurisdiction of BLM-ES, 18 states were created from the 13 original colonies and contain no public domain lands. The remaining 13 states were surveyed under the rectangular system of surveys. Five (Illinois, Indiana, Iowa, Missouri, and Ohio) of these 13 states are considered closed public domain states because all of the public domain land has left federal ownership; eight states (Alabama, Arkansas, Florida, Louisiana, Michigan, Minnesota, Mississippi and Wisconsin) contain public domain land. The remaining scattered land tracts that reside in these eight public domain states will serve as the focus of this project.

Complexities for identifying lands in the East are magnified by the vast geographic area, terrain, and difficulty in locating boundaries. Additionally, extensive courthouse research, legal analysis, and cadastral survey support is often required to resolve title issues dating back to the Public Land Ordinance of 1785.

IV. Membership and Sponsorship

The members of the LIP are experts in land resources and title resolution. Each member is encouraged to participate fully in the operations and processing to meet the strategic goal and interim objectives. The LIP Coordinator reports directly to the Deputy State Director (DSD) Land Resources. Membership is ad-hoc and based on need and workload. The LIP is sponsored by the Eastern States Leadership Team (ESLT).

Permanent Members:

- Project Coordinator
- Branch Chief Lands & Realty
- Lands Program Lead
- Lead, Land Law Examiner
- Database Manager (LR2000)
- Field Office Realty Specialist (2) (MFO/JFO)
- Branch Chief, GLO Records
- Legal Assistant (Information Access Center)

Permanent Advisors:

- DSD Land Resources
- Field Managers (MFO/JFO)
- Assistant DSD, Natural Resources
- ES-960 Program Analyst/Budget Lead

V. Roles and Responsibilities

The LIP Team is responsible for developing an action plan to determine how best to complete the workload and meet the timeframes for identifying public domain lands in the East. The agreed-upon work is coordinated between the LIP Coordinator and the appropriate supervisor/manager for scheduling and completion. The LIP Coordinator is responsible for tracking progress toward completion of timeframes, meeting deadlines, and reporting ongoing progress in the ES-960 weekly reports.

The Chief of the Branch Lands & Realty will ensure that adjudication assignments are prioritized to meet task deadlines.

The Field Office Realty Specialists will serve as points of contact for coordination with their respective state and county courthouses. The LIP Coordinator will coordinate survey activities through the Branch of Cadastral Survey.

VI. Decision Process

The workload is coordinated by the project coordinator with the appropriate supervisor, DSD, Field Manager, and/or team lead. Technical issues are resolved by the LIP Team with the project coordinator. All unresolved issues are promptly forwarded to the DSD Land Resources.

Policy issues are resolved by the DSD Land Resources and the appropriate Field Manager. Complex policy issues are resolved in consultation with the Field Managers and the Associate State Director.

The DSD Land Resources will keep the ESLT informed of progress toward completing the interim objectives and strategic goal.

The LIP Team will ensure that cost-benefits and return on investments are considered when planning workload.

VII. Meetings

Initial meetings are held weekly until the LIP Action Plan is finalized to ensure clear and transparent communications and coordination of agreed-upon deliverables.

After the LIP Action Plan is completed, meetings will be held monthly. The DSD Land Resources will provide quarterly progress reports to the ESLT.

VIII. Recommendations and Concurrence

Recommended:

Theresa R. Coleman 5/13/05
DSD Lands Resources Date

Joseph W. Beaudin 5/13/05
Project Coordinator Date

Concurrence:

Michael D. Nedd 5/25/05
State Director Date

Appendix I. Operating Procedures

I. Guiding Principles

The Land Adjudication Staff from the state office and the Realty Specialists from the Field Offices will review, consolidate, and correct the land list to identify and verify public domain lands. The LIP Team will validate and certify the official lands list. The official list will describe the meridian, state, county, township, range, section, legal subdivision and acreage of the parcel. Once a state's land list is certified, LR2000 will serve as the official land list repository. Currently, there are several land lists, including those used by the field offices for land use and resource management plans. Certain data in LR2000 has not been validated or may be incomplete or both.

In accordance with the LIP Charter, Section II. Strategic Goal to use the Land Tenure Planning Schedule and Land Use Plan as the guiding documents, the state of Mississippi will be completed first. The certified list for Mississippi will be completed by the end of fiscal year 2005. Alabama will be the second state completed. The six remaining public domain states (Arkansas, Florida, Louisiana, Michigan, Minnesota and Wisconsin) will be scheduled according to their Land Use Plans and Field Managers' priorities. BLM-ES will consider the identified and verified lands as public domain and available for resource development or disposal according to existing planning guidance.

To ensure priorities are completed timely, project management tools will be used to track progress, workload, and processes. The LIP Action Plan will include strategies to develop a budget, track cost, and identify resource needs.

II. Major Tasks

Create a LIP Action Plan that outlines the task and responsibilities to address the adjudication functions, research records, and conduct the field work necessary to identify and verify public domain lands under BLM-ES' jurisdiction.

Research records, such as the BLM-ES tract books, survey plats, the GLO records, and any other historical documents or records including records at County Courthouses to identify and verify the public domain lands.

Conduct site visits to determine the extent of the encumbrances and describe the condition of the parcel(s) as necessary.

Update LR 2000 after parcels on the official BLM-ES Lands List are verified.

All Islands (i.e., Wisconsin Islands) will be reviewed, surveyed, and the determination will be coordinated with the appropriate field office. Islands that have not been surveyed will need a determination, which will include office preparation and field examination to determine status before inclusion on the lands list. Islands that have been surveyed and

given a Tract No. or any other legal description, which have not been disposed of, will be entered into LR2000 when certified as public domain.

III. Timeframe

The LIP Team workload is anticipated to be completed by September 2008.

The LIP Coordinator will establish timelines for specific tasks using the project management tools. BLM-ES Lands and Resources staff will be called upon at various times to provide assistance.

Assumptions for success:

- Resources will be provided as needed.
- The remaining public domain states (Arkansas, Florida, Louisiana, Michigan, Minnesota and Wisconsin) will be completed according to the Land Tenure Planning Schedule and Land Use Plans and Field Managers' priorities.
- The lands will be available for development and disposal after the certified lands list is entered into LR2000.

IV. Project Resources

The impact on the BLM-ES budget will be determined as the workload becomes clearer.
 Lands Adjudication Process Analysis Report
 LIP Action Plan
 Lands Definitions

V. Guidance Affecting the Project:

BLM's Manuals
 BLM-ES Land Tenure Strategy, January 2005
 Title 43, Code of Federal Regulations

IV. Contact:

Joe Beaudin, Project Coordinator, 703-440-1675
 Theresa R. Coleman, DSD Land Resources, 703-440-1678

Appendix II. Definitions

Abandoned Military Reservation: A military reservation that may be transferred to the Secretary of the Interior for disposal.

Acquired Land: Lands the United States obtained by deed, through purchase or gift, or through condemnation proceedings, including lands previously disposed of under the public land laws and lands under the mining laws.

Ceded Indian Lands: Indian lands which were relinquished to the United States by an Indian Tribe.

Encumbrance: Any right to or interest in land which makes it subject to a charge or liability. Encumbrances include mortgages, judgment liens, attachments, leases, deed restrictions, unpaid taxes, inchoate rights of dower and so forth.

Federal Lands: All lands administered by the Department of the Interior west of the 100th meridian in the contiguous 48 States with the exception of tribal and trust allotted lands managed by the Bureau of Indian Affairs on behalf of the Indians.

Federal Power Project Reservation: A reservation of public lands for use in a project developed under the jurisdiction of the Federal Power Commission.

Land Use Plan: A resource management plan developed under the provisions of 43 CFR, Part 1600, or a management framework plan. These plans are developed through public participation in accordance with the provisions of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and establish management direction for resource uses of public lands.

Naval Reserve: A reservation for naval purposes.

Original Public Domain: Lands obtained by the government:

- Cession from the 13 original states (1789-1802)
- Louisiana Purchase (1803)
- Cession by Spain (1819)
- Occupation of Oregon Territory (1846)
- Mexican Cession (1848)
- Purchase from Texas (1850)
- Gadsden Purchase (1853)
- Purchase of Alaska (1867)

Powersite Reserve: A reservation of public lands which have potential value for water power development.

Public Domain: Lands, including mineral estates, which never left the ownership of the United States, lands which were obtained by the United States in exchange for public domain lands, lands which have reverted to the ownership of the United States through the operation of the

public land laws and other lands specifically identified by the Congress as part of the public domain.

Public Lands: Any lands and interest in land owned by the United States within the several States and administered by the Secretary of the Interior through the Bureau of Land Management, without regard to how the United States acquired ownership, except lands located on the Outer Continental Shelf and lands held for the benefit of Indians, Aleuts, and Eskimos.

Reserved Land: Federal lands which are dedicated or set aside for a specific public purpose or program, and which are, therefore, generally not subject to disposition under the operation of all of the public land laws. These lands include national parks and monuments, or any other reservations of the United States for the use of or administration by the National Park Service, the Fish and Wildlife Service, the Bureau of Reclamation, or any agency outside the Department of the Interior.

Trespass: The severance, removal, or unlawful use of timber or other vegetative resources without the consent (authorization) of the Federal Government, or failure to comply with contract or permit requirement that causes direct injury or damage to timber or other vegetative resources, or undue environmental degradation.

Unreserved Public Lands: Public lands which have not been withdrawn or reserved for general purposes. The public lands which are not affected by a general order of withdrawal, by a mineral withdrawal for classification, or by inclusion within a grazing district under the Taylor Grazing Act, are considered unreserved public lands since they are subject to classification and disposal.

Vacant and Unappropriated Public Domain Lands: Public domain lands which have never left Federal ownership and have not been reserved, withdrawn, dedicated or set aside for a specific purpose. These lands, some 450 million acres, are mostly in the 11 Western States and Alaska.

The vacant and unappropriated public domain lands are administered by the BLM.

Withdrawal in Aid of Legislation: A withdrawal which is made pending enactment of legislation relative to the same lands.

Withdrawals: Removal or withholding of public lands by statute or secretarial order, from operation of some or all of the public land laws such as from surface mining or mineral leasing.

Sources:

Glossary of Public Land Terms, NTC, February 2000
 Alaska State Office, Division of Geometrics and Cadastral Services, Glossary of Cadastral Terms Online
 Title 43, Code of Federal Regulations
 Federal Land Policy and Management Act of 1976