

DRAFT OUTLINE - ASLAG REPORT TO CACFA

- I. Introduction
 - a. Summary
 - b. Recommendations

- II. Overview - Transfer of Public Lands
 - a. History of Land Ownership in America
 - i. Utah Legal Analysis
 - b. Background and History of TPL Movement
 - c. Organizations (e.g., American Lands Council)
 - d. Historical Context
 - i. How Eastern States Got Their Land
 - ii. Sagebrush Rebellion
 - iii. Response to FLPMA
 - e. Arctic Devolution
 - f. Why Would We Want More
 - i. List of Grievances
 - g. Common Property Management Theory
 - i. Nested Authorities
 - ii. Economic, Environmental and Social Justice Considerations
 - h. Existing Federal Authority to Dispose of or Transfer Lands/Management

- III. ASLAG Mission, Goals and Objectives
 - a. Charter
 - b. Revised Mission Statement
 - i. Legislation
 - ii. Litigation
 - iii. Negotiation
 - iv. Confrontation
 - c. Membership
 - d. Summary of Meetings
 - e. Outreach and Communication
 - f. Recommendations Previously Submitted to CACFA

- IV. Alaska Specific Issues Related to Transfer of Public Lands
 - a. History of Land Ownership in Alaska
 - i. Pre-Statehood
 - ii. Statehood
 - 1. DOD Prerogative; PYK line
 - 2. Alaska Statehood Commission
 - iii. Alaska Statehood Act

1. How Did We Get 103M Acres in the First Place (ION Study)
 2. What Was Not Well Spelled Out, In Retrospect (e.g., RS2477s, Navigable Waters, Wildlife Management, Fisheries)
 3. Compact
 4. Land Disclaimer
- b. Constitution of the State Alaska
 - c. Alaska Native Claims Settlement Act
 - i. Terms & Conditions Settlement
 - ii. Joint Federal-State Land Use Planning Commission Reports
 - d. Alaska National Interest Lands Conservation Act
 - i. TUS Process
 - ii. Title XII
 - e. Implementation of Federal Statutes
 - i. Where We Have Had to Go Beyond Plain Text or Wholesale Adoption
- V. Legislation
- a. Congressional Proposals
 - i. Turn More Land or More Decision Making Over to the States
 - b. State Legislative Actions
 - i. Compact Approach Opportunities
 - c. Actions by other Western States
 - i. Arizona Study Committee
 - ii. Wyoming Study on Management of Public Lands
 - d. Update and Expand on Legislation Section in 10/15 Report to CACFA
- VI. Litigation
- a. Utah Legal Analysis
 - b. Analysis by Council of Western Attorneys General
 - c. Other Legal Analysis
 - i. Wallace Stegner Center White Papers
 - ii. State of Oregon Attorney General Opinion
 - d. Discussion of Legal Components
 - i. Equal Sovereignty Principal
 - ii. Equal Footing Doctrine
 - iii. Compact Theory
 - e. Recommendations from Litigation Section in 10/15 Report to CACFA
 - f. Alternative of No Action Being Taken
- VII. Negotiation
- a. Reauthorization of Alaska Land Use Council
 - i. Review and Summary of ANILCA 1201 Report
 - ii. Recommendations for Structure and Functions of the Council
 - iii. Caution From Prior Meetings: Undermining Other Alternatives

- b. Existing Advisory Group Structure
 - i. BLM Resource Advisory Council
 - ii. USFS Resource Advisory Committees
 - iii. ANILCA 1202 Federal Coordination Committee
 - c. Use of Cooperating Agency Opportunities in Planning Efforts
 - i. Sovereignty as Essential to Productivity and Influence
 - d. Development of "Green Book"
 - e. Coordination with Other Western States
- VIII. Confrontation
- a. Where Successful
 - b. Where Not Successful
 - c. What Are Our Options
 - d. Act Sovereign
- IX. Economic, Environmental and Social Justice Considerations
- a. Sally Fairfax; Philosophical Arguments
 - b. Analyze and Research Sources of Revenue (or Recommend Same)
 - c. Cost/Benefit Analysis of State vs. Federal Ownership
 - i. Revenue Lost Due to Federal Withdrawals, Regulations, Planning, Management and/or Policies
 - ii. Revenues Generated by Leasing or Other Economic Development on Federal Lands, Including Tourism
 - iii. Firefighting Costs
 - d. Case Studies
 - i. Possible cases: RS 2477, NPR-A, Firefighting, Forestry, Native Lands, 90/10 Revenue Sharing
- X. Recommendations