

Process and Development in Reservation Real Property Management

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The Bureau of Indian Affairs (BIA) Division of Real Estate Services (Realty), Pacific Regional Office (PRO) in Sacramento manages all land held in trust for California Indian Tribes. Realty's primary function is managing title records as well as using this data to assist with the regulation and oversight of trust land natural resources. PRO needed to develop and deploy a working land management system that would support business needs and leverage partnerships with other federal agencies. Collaboration between the BIA and the Bureau of Land Management was critical in enabling the development of a GIS for real property management of Indian trust assets. This case study provides details into this partnership, focusing on the successful integration of BLM Cadastral Survey data into the Pacific Regional Office's new enterprise GIS.

Within the U.S. federal government, the Department of the Interior, Bureau of Indian Affairs (BIA) is the principal bureau responsible for the administration of federal programs for federally recognized Indian tribes, and for promoting Indian self-determination. In addition, the bureau has a trust responsibility emanating from treaties and other agreements with Native groups. The mission of the bureau is to enhance the quality of life, to promote economic opportunity, and to carry out the responsibility to protect and improve the trust assets of Indian tribes and Alaska Natives. The bureau provides the kinds of services one expects from a local, city, county, state or federal government. This includes, but is not limited to, natural resource, environmental and land title management, law enforcement, social services, education, housing improvements, loan opportunities for Indian businesses, and the leasing of land.

The Bureau currently provides federal services to approximately 1.2 million American Indians and Alaska Natives who are members of more than 556 federally recognized Indian tribes in the 48 contiguous United States and in Alaska. The Bureau administers 43,450,266.97 acres of tribally-owned land, 10,183,530.13 acres of individually-owned land, and 417,224.98 acres of federally-owned land which is held in trust status. The Pacific Regional Office (PRO) of the Bureau of Indian Affairs (BIA) in Sacramento is one of 12 Regional Offices located across the country. The Pacific Region serves 102 tribal governments. The land base is composed of trust assets known as reservations, rancherias and public domain allotments. The Pacific Region has three agency offices: Northern, Central and Southern, and one field office located in Palm Springs to provide direct support to Tribal governments and members. Individual trust assets of the PRO are small in comparison to those of other BIA areas however total acreage of the land base exceeds 451,586 acres. One of the smallest Indian tribal land bases consists of only 1.32 acres for the Likely Rancheria while the largest tribal land base is the Hoopa Valley Reservation consisting of over 85,502 acres. Many of the reservations or rancherias include both allotted or individually owned tracts as well as tribally owned tracts. In addition, there are a number of off-reservation allotted or other individually-owned lands. In general California trust land values are very high in comparison to other states.

In February of 2003 the Pacific Regional Office deployed a new Enterprise Geographic Information System (GIS). This is the first installation of its kind within the BIA. At the core of a successful deployment is delivery of current and accurate land ownership information in support all BIA departments particularly the Sacramento Land Title and Records Office (LTRO). A principal aspect of the GIS program is collaborating with the Interior Department's Bureau of Land Management (BLM) to obtain base layer data, images, cadastral surveys and the Geographic Coordinate Database. BLM cadastral surveys, specifically the rectangular land survey or public land survey (PLS) is the fundamental reference grid used to define Indian trust land boundaries (25 U.S.C. §176). The PLS is also used as a framework to create Indian trust ownership tracts. The Geographic Coordinate Database (GCDB) is the digital repository for the Public Land Survey. It contains the geographic coordinates and associated attributes for all rectangular corners down to the 1/16 section, in addition to special survey corners (meanders, mining claims, Indian allotments, Spanish land grants etc.). This database is converted by BLM Mapping Sciences into ArcInfo coverages using AML scripts. The data is then delivered to the BIA PRO office where it is then converted to a geodatabase format. The resulting features establish the framework for the subsequent reservation boundary development.

Typically trust land maps show the location and extent of land owned by individuals and tribes as described in executive orders, patents, Acts of Congress, deeds, probates, and allotment schedules. Additionally the maps may incorporate legal descriptions from title documents such as leases, permits, and other encumbrances including utility easements and road rights of way. These maps when plotted in reference to the PLS, describe where and to what extent a trust ownership tract is effected by an encumbrance as well as reconcile and verify complex legal descriptions and acreages. Without this information, an examiner can not prepare a title status report (TSR). An Indian land title status report is necessary in order to execute most economic transactions affecting trust land. Economic transactions generate income on Indian trust land and generally include gaming, business leases, residential timeshares, recreation, tourism, golf courses leases, grazing, and agricultural leases, signboard permits, timber sales, sand and gravel sales, rights of way, land sales, purchases, gifts and probates. Indian trust land maps are vital in assisting LTRO title examiners encode the necessary information for a TSR. Typically trust land maps show the location and extent of land owned by individuals and tribes as described in executive orders, patents, Acts of Congress, deeds, probates, and allotment schedules. Additionally the maps may incorporate legal descriptions from title documents such as leases, permits, and other encumbrances including utility easements and road rights of way. This information is also essential to other functions of the BIA including environmental and hazard assessments, wildlife protection, forestry, fire, roads, water resources, range, archeology and appraisals. In essence the PLS is critical in defining the trust areas of responsibility for the BIA.

Management of real property data plays a fundamental role in the financial well being of Indian communities' dependant on the land for their livelihood. Without legally recognized title reports, there is no efficient and legal transfer of Indian interests in real property. While the geographic coordinates and subsequent GIS products produced from

the GCDB data conversion do not represent the true legal document, they offer a truly precise representation of the legal boundaries and provide for a well documented linkage to the legal hard copy survey. This presentation highlights the importance of partnership between federal agencies in streamlining enterprise realty data management.

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