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ACSM-MARLS-UCLS-WFPS CONFERENCE 2009

Forest Service Boundary & Title Management Procedures

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Agenda

- Forest Service Boundaries - National Perspective
- R1-R4 Boundary Mile Summary
- Types of Forest Service Boundaries
- Standard Boundary Identification
- Forest Service Survey Authorities
- Forest Service Survey Records

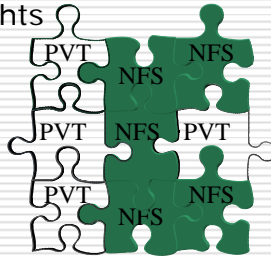
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Agenda

- Encroachment Identification
- Encroachment Resolution
- Land Survey Contract/COOP/Cost Share Opportunities
- What You Should Be Aware of if Surveying A Boundary Defining Forest Service Land

Overview

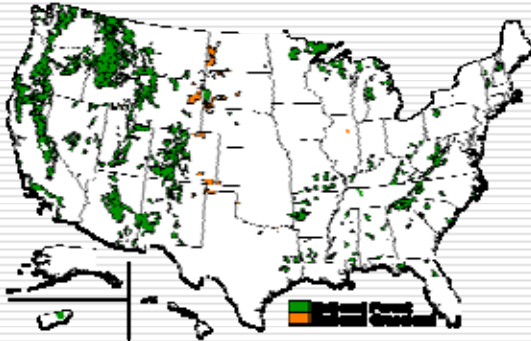
- National Forest System Land Management is a process For Protecting PUBLIC and PRIVATE Rights



Forest Service Boundaries – National Perspective

- ❑ 193 Million Acres of NFS Managed Land
- ❑ 278, 000 Miles of Boundary
- ❑ Eastern States – Metes and Bounds
- ❑ Western States – Public Land Survey System
- ❑ 9 Regions Managing NFS Land
- ❑ R1 – Montana/Northern Idaho/Northeastern Washington/NG North Dakota & Northwestern South Dakota
- ❑ R4 – Utah/Nevada/Southern Idaho/Western Wyoming

National Forest Service Land



R1 – R4 Boundary Mile Summary

R1

- 27,725 Total Miles
- 1,809 Located and Marked



R4

- 20,960 Total Miles
- 6,127 Located and Marked

Types of Forest Service Boundaries

- Property Boundaries – Federal land adjoining Non-Federal Land
- Congressional Boundaries
- Administrative Boundaries
- Project Boundaries
- Easement/ROW Boundaries

Standard Boundary Identification

- If Boundary has been located and Marked
 - Posts
 - Signs
 - Durable corner monumentation
- If the Boundary HAS NOT been located and Marked
 - ?

Standard Boundary Identification



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Forest Service Survey Authorities

- State License
 - Public Lands which **HAVE** been originally surveyed and or been described
- BLM Federal Survey Authority
 - Public lands which **HAVE NOT** been originally surveyed and or been described

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Forest Service Survey Records

- County
- Regional Office
- Forest Service zone office
- Forest Supervisors office
- Ranger District office

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Encroachment Identification

- Legal Land Survey
 - Title Claim and Encroachment Report
 - Site Map
- Research Land Status Records for NFS Land
- Research Special Use Authorizations for NFS Land
- Notify Adjoining Land Owner

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Encroachment Resolution

- Administrative Action
- Small Tracts Act
- Adjustment Of Land Titles Act
- Real Property Quiet Title Act
- Color of Title Act
- Sale or Exchange Authorities

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Encroachment Resolution

- Administrative Action
 - Unauthorized
 - No Legal Right
 - Removal



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Encroachment Resolution

- Small Tracts Act
 - Applicant has to be eligible
 - Innocent
 - Less Than 10 acres
 - Less Than \$150,000
 - Substantial Capitol Investment
 - In The Publics Interest

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Encroachment Resolution

- Adjustment Of Land Titles Act
 - Acquired NFS Land
 - Mistake
 - Misunderstanding
 - Error
 - Inadvertence

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Encroachment Resolution

- Real Property Quiet Title Act
 - Provides Individuals and States the Right to Bring Quiet Title Action Against the United States
 - Applies to Federally Owned Land
 - 12 Year Statute of Limitations

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Land Survey Contract/COOP/Cost Share Opportunities

- Work Scope
 - Boundary Location and Marking
 - Boundary Maintenance
 - Site Surveys
 - Topo Surveys
 - Construction Surveys
 - Property Corner Recovery

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Land Survey Contract/COOP/Cost Share Opportunities

- Contract
 - IDIQ
 - Open Bid-Single Project
- COOP
 - Mutual Benefit
 - Usually other Federal/State/County Agencies
- Cost Share
 - Adjoining Private Property

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What You Should Be Aware of if Surveying A Boundary Defining Forest Service Land

- Has the Boundary Been Previously Located And Or Surveyed By The Forest Service
- If Original Corners Can Not Be Recovered Does The Forest Service Have Any Corner Recovery Notes
- Forest Service Cannot Legally Enter Into A Boundary Line Agreement
- Opportunities For Cost Share Agreements
- Forest Service Boundary marking Standards

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Where to Get More Information

- Regional Contacts
 - R1 – Tony Bachman 406-329-3156
 - R4 – Troy Warburton 801-625-5226
- Web Address
 - National Forest Service
 - www.fs.fed.us
 - R1
 - www.fs.fed.us/r1
 - R4
 - www.fs.fed.us/r4

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