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Governor Mike Dunleavy STATE OF ALASKA

March 10, 2022

The Honorable Peter Micciche
Senate President
Alaska State Legislature
State Capitol, Room 111
Juneau, AK 99801-1182

Dear President Micciche:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill relating to state ownership of submerged lands and authority over navigable waters. This bill expands on existing law identifying the State's title interest in submerged lands underlying navigable waters at the time of statehood by clarifying and affirmatively asserting the State's ownership of those submerged lands that came to be located within or adjacent to federal areas pursuant to federal legislation enacted after statehood.

The bill identifies 1,873 water bodies within and adjacent to federal areas in which the State has a title interest to the submerged lands and directs the Commissioner of the Department of Natural Resources (DNR) to conduct ongoing research to identify navigable waters in federal areas to determine the State's title interest to the submerged land, and report annually to the Legislature any additions, modifications, or other changes to the list of waters in the bill. The bill defines the legal and technical terms key to conducting this research and codifies the criteria to be considered by the DNR Commissioner in determining the State's title interest in these submerged lands.

This bill declares Alaska's constitutional title to the beds of navigable waters and implements the United States Supreme Court decision in *Sturgeon v. Frost* upholding the State's title to submerged lands within or adjacent to federal lands set aside after statehood. Alaska's navigable waters are her cultural and economic lifeblood, providing travel corridors, fish and wildlife habitats, hunting and fishing grounds, and recreational opportunities. Enactment of this measure will advance our State's ability to manage these submerged lands and navigable waters in the best interests of Alaskans.

I urge your prompt and favorable action on this measure.

Sincerely,

A handwritten signature in blue ink, appearing to read "mike dunleavy".

Mike Dunleavy
Governor

Enclosure