

SENATE RESOLUTION NO. 9

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

BY THE SENATE RESOURCES COMMITTEE

Introduced: 4/4/18
Referred: Resources

A RESOLUTION

1 **Relating to management of public land and resources in the state.**

2 **BE IT RESOLVED BY THE SENATE:**

3 **WHEREAS** Alaska entered the Union as a state on equal footing with the original 13
4 colonies and other states upon ratification in 1958 of the Alaska Statehood Act, establishing
5 by Compact with the citizens of Alaska fundamental principles regarding the transfer of
6 federal land into state ownership; and

7 **WHEREAS**, in addition to the Alaska Statehood Act, a suite of federal laws presently
8 define the relative authorities and responsibilities for state and federal land and resources in
9 the state, including the Alaska Native Claims Settlement Act and the Alaska National Interest
10 Lands Conservation Act, which relate specifically to Alaska, and the General Mining Act of
11 1872, the Mineral Leasing Act of 1920, the National Wildlife Refuge System Administration
12 Act of 1966, and the Federal Land Policy and Management Act of 1976, which apply to all
13 states; and

14 **WHEREAS**, among the clear understandings documented in those Acts and others,
15 the state could acquire resource-rich land with the opportunity to study and develop it; share
16 in the revenue from the development of federal land; exercise state sovereignty over land and

1 resources, including the management of fish and wildlife and the submerged land that passed
2 to the state at statehood; have reasonable access to and across federal land, particularly when
3 necessary to use or access land owned by the state, Native corporations, and private
4 individuals; and engage in traditional activities on land retained by the federal government;
5 and

6 **WHEREAS** the federal government has repeatedly disregarded, misconstrued, and
7 abrogated the commitments contained in those Acts; and

8 **WHEREAS**, in contradiction of those Acts, the federal government frequently fails to
9 consider or accommodate the needs and interests of affected users of federal land in the state
10 by adopting prohibitive land-use classifications, plans, and decisions, sweeping policies,
11 permit programs, fees and costs, and direct restrictions on access to federal land for traditional
12 and customary uses, mining, subsistence, hunting and fishing, trapping, economic activities,
13 travel between communities, and recreation; and

14 **WHEREAS** the state Citizens' Advisory Commission on Federal Management Areas
15 in Alaska has been monitoring these issues for decades, and, through its legally impaneled
16 subcommittee, the Alaska State Lands Advisory Group, has examined and discussed available
17 remedies;

18 **BE IT RESOLVED** that the Alaska Senate appreciates the work of the Citizens'
19 Advisory Commission on Federal Management Areas in Alaska and the Alaska State Lands
20 Advisory Group; and be it

21 **FURTHER RESOLVED** that the Alaska Senate supports filing the petition
22 submitted by the Citizens' Advisory Commission on Federal Management Areas in Alaska;
23 and be it

24 **FURTHER RESOLVED** that the Alaska Senate welcomes the transfer of ownership
25 or management of federal land to the state in parcels specifically negotiated between the two
26 parties; and be it

27 **FURTHER RESOLVED** that the Alaska Senate supports creating an expedited
28 process to resolve uncertainty in the adjudication of navigable waters, submerged land, and
29 RS 2477 rights-of-way; and be it

30 **FURTHER RESOLVED** that the Alaska Senate urges the United States Congress to
31 reinstate and fund the Alaska Land Use Council established under Title XII of the Alaska

1 National Interest Lands Conservation Act; and be it

2 **FURTHER RESOLVED** that the Alaska Senate urges the Governor to enter into
3 cooperative land and resource management agreements, with the caveat that any federal land
4 use plan, regulation, policy, or program that objectively serves to perpetuate reduced use and
5 access, or that newly reduces use and access, lacking express Congressional direction, shall be
6 subject to state approval, such as ratification by the Alaska State Legislature, before taking
7 effect; and be it

8 **FURTHER RESOLVED** that the Alaska Senate urges the federal government and
9 the state to establish and maintain a trust-beneficiary relationship on federal land where
10 revenue sharing is available; and be it

11 **FURTHER RESOLVED** that the Alaska Senate urges the Governor to renew
12 funding and support for the Citizens' Advisory Commission on Federal Management Areas in
13 Alaska and the state Alaska National Interest Lands Conservation Act implementation
14 program.