

# Alaska State Legislature

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## Senate Transportation Committee

### Sponsor Statement

#### SB 211 – DOT Lands & Materials

SB 211 clears up Alaska law on managing and transferring land or materials from the Department of Natural Resources to the Department of Transportation and Public Facilities. Current law gives DOT&PF authority to manage state lands for airports, highways, and public facilities, but the Alaska Lands Act adds confusion and extra steps when the land it needs is held by DNR.

Today, DNR goes through an extensive analysis before transferring land or materials from one state agency to another as though it were a ‘disposal’ under the Alaska Lands Act. This adds time and expense to transportation projects. SB 211 makes clear that transferring land from one agency to another for the public purposes of airports, highways, harbors, and public buildings is not a ‘disposal.’

This change would not apply to special areas like parks, refuges, or state critical habitat areas. Nor does it change public notice or the permitting requirements that determine whether or where projects go. It applies only to transferring land needed to build and maintain airports, highways, and public facilities. The bill makes it clear that once the legislature endorses a project, any necessary transfers from general DNR land are in the public interest and don’t need an Alaska Lands Act analysis by DNR. At the same time, the bill protects public notice of those transfers.

Another issue SB 211 addresses is that DOT&PF currently isn’t allowed to sell land it gets from DNR. Land DOT&PF gets from the private sector can be sold when it no longer serves a transportation or public facility need. Land DOT&PF gets from DNR currently has to be returned, which can leave adjacent landowners unable to own small strips of land between their property and a newly realigned road. SB 211 makes clear that DOT&PF can sell, under its current rules, land the state doesn’t need for transportation or public facilities.

The bill also waives legislative approval of land conveyances from the Alaska Railroad to DOT&PF. This change will reduce project timelines by as much as a year when federal aid or other rules require exclusive right-of-way access.

Finally, SB 211 lets DNR make a set of existing 55-year easements permanent. By lifting the 55-year restriction on specific easements granted to the United States Forest Service, the Forest Service can reciprocally lift its 55-year restriction on easements it gave the DOT&PF for certain transportation and utility corridors through the Tongass National Forest.

SB 211 lets DOT&PF more efficiently administer the construction and maintenance programs for the state’s highways, airports, and public facilities without reducing public notice or other protections.