

# ALASKA STATE LEGISLATURE

State Capitol, Room 204  
Juneau, AK 99801  
(907) 465-3783  
Toll Free: (877) 460-3783



Legislative Information Office  
1500 W. Benson Blvd.  
Anchorage, AK 99503  
(907) 269-0111

## Representative Dan Saddler

*House Majority Leader • Serving Chugiak-Eagle River and Peters Creek*

### HB 98 Sponsor Statement

**"An Act relating to state ownership of submerged land underlying navigable water within the boundaries of and adjacent to federal areas; and providing for an effective date."**

HB 98 seeks to end the federal government's decades-long, unjust denial of a fundamental element of Alaska's statehood: control of navigable waters in Alaska and ownership of the lands beneath.

The 1959 Statehood Act transferred 105 million acres of federal land to Alaska. In addition, the U.S. Constitution and federal law also made the state owner of navigable waters and the lands beneath them at the instant of statehood.

Navigable waters are the lakes, rivers and streams that supported, or could have supported, in-state travel at the time of Statehood. They provide travel routes, recreational access, hunting opportunities, aquatic habitat and more, and represent corridors of commercial travel critical to Alaska's prosperity. All other states assumed undisputed control of such lands and waters inside their borders upon joining the Union.

Despite their obligation to do so, federal authorities have dragged their heels in granting Alaska clear title to its submerged lands. Instead, they've forced the state to prove the navigability of waterways on a case-by-case basis at a rate that would take hundreds of years to conclude.

Enough is enough. HB 98 simply but confidently declares Alaska's title to the beds of navigable waters, including those within federal parks, wildlife refuges, forests and other conservation units, unless specifically withdrawn before Statehood. It identifies and enumerates water bodies within federal areas in which the State has a title interest. And it directs the Department of Natural Resources to make progress reports to the Legislature on its continuing effort to delineate navigable waters in federal areas in Alaska.

The need for this bill is dramatized by the case of Alaska hunter John Sturgeon, who fought and won two U.S. Supreme Court decisions clarifying that Alaskans have the right to use navigable waters inside federal areas, and that federal regulations do not trump state ownership, even in conservation units created by the Alaska National Interest Lands Conservation Act in 1980.