

# Alaska State Legislature

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## Senate Bill 92 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."**

Senate Bill 92 clarifies existing law identifying the state's title interest in tidelands and submerged lands underlying navigable waters by clarifying and affirmatively asserting the state's ownership of submerged lands pursuant to the Equal Footing Doctrine.

SB 92 applies to submerged lands and tidelands located within federal areas, including the National Park Service, United States Fish and Wildlife Service, United States Forest Service, and Bureau of Land Management, are not subject to a valid pre-statehood withdrawal explicitly reserving the submerged lands.

SB 92 clarifies ownership management and control by identifying water bodies within federal areas in which the state has a title interest to tidelands and submerged lands. This bill directs the commissioner of the Department of Natural Resources 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. SB 92 defines the legal and technical terms to conducting this research and codifies the criteria to be considered by the DNR commissioner in determining the state's title interest in submerged lands.

SB 92 declares Alaska's title to the beds of navigable waters and allows for state management. The United States Supreme Court decision in *Sturgeon v. Frost* upholds the state's title to submerged lands within federal lands without a valid pre-statehood withdrawal. Alaska's navigable waters are the cultural and economic lifeblood of the state. They provide travel corridors, recreational opportunity, hunting grounds and aquatic habitat. SB 92 will advance our state's ability to manage these submerged lands and navigable waters in the best interest of all Alaskans.