

**STATE OF ALASKA
SENATE**

2018

Source
SR 9

**Senate
Resolve No.**
10



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

BE IT RESOLVED BY THE SENATE:

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

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

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

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

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

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

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

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

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

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

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

FURTHER RESOLVED that the Alaska Senate urges the United States Congress to reinstate and fund the Alaska Land Use Council established under Title XII of the Alaska National Interest Lands Conservation Act; and be it

FURTHER RESOLVED that the Alaska Senate urges the Governor to enter into

cooperative land and resource management agreements, with the caveat that any federal land use plan, regulation, policy, or program that objectively serves to perpetuate reduced use and access, or that newly reduces use and access, lacking express Congressional direction, shall be subject to state approval, such as ratification by the Alaska State Legislature, before taking effect; and be it

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

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