



Governor Michael J. Dunleavy
STATE OF ALASKA

March 26, 2021

The Honorable Joseph R. Biden, Jr.
President of the United States of America
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President:

There are many longstanding issues regarding State and Federal resource management in Alaska dating back to statehood. Alaska was promised the right to a sovereign government with the authority to manage its lands, waters, and resources. One of these specific rights is the right to receive title from the Federal government to all submerged lands beneath navigable waters. Unfortunately, the Federal government has not lived up to its promises. Recent decisions by the United States Supreme Court in the *Sturgeon* case, affirmed the State's title to submerged lands.

The State of Alaska will not wait any longer for the Federal government to fulfill its promises. Today, I am taking several actions to hold the Federal government accountable. We are claiming ownership interests in submerged lands across the state for the benefit of Alaskans. The Federal government must acknowledge title to these submerged lands vested with the State.

As the Governor of Alaska, I am entrusted with significant responsibilities to promote the use of, and access to, Alaska's resources for the people of Alaska. This issue is particularly important because our Constitution guarantees Alaskans access and use of navigable waters. Federal regulations do not.

To this end, the Commissioner of the Alaska Department of Natural Resources will be communicating with the leadership of the U.S. Departments of Agriculture and Interior leadership, including their subordinate bureaus and agencies, to convey additional information about steps the State is taking to claim title and management of state-owned submerged lands.

We recognize many of these state-owned and managed submerged lands pass through important federal land holdings, including National Parks, National Forests, and National Wildlife Refuges. Significant federal resources have been deployed to improve some of these public lands, including infrastructure located on state-owned submerged lands, and we stand ready to work with you to ensure the public can still enjoy full use of any such facilities.

The Honorable Joseph R. Biden, Jr.

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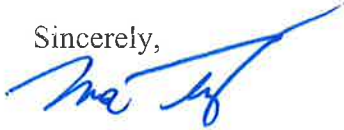
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My administration is ready to work with you to develop a framework for fast and efficient recognition by the Federal government that the State has title to submerged lands. This is an opportunity for us, as public servants, to set a new tone together on a longstanding and difficult issue.

Regardless, the United States Supreme Court has made it very clear: Alaska has sovereign ownership to submerged lands and will exercise that right on behalf of its constituents. Our state will not tolerate federal officials or federal action attempting to subvert the clear mandate of the court. We can resolve our disputes without federal officers drawing their weapons on law-abiding Alaskans exercising their constitutional right to traverse Alaska's waterways.

My highest priority is that Alaskans and our visitors are able to have a clear understanding of their rights, and the ability to access all that our state has to offer. I encourage you and leaders of your administration to contact my Attorney General Treg Taylor and discuss establishing a process for the Federal government to voluntarily and quickly recognize certain water bodies as navigable and transfer title to the State.

Sincerely,



Mike Dunleavy
Governor

cc: The Honorable Lisa Murkowski, United States Senate
The Honorable Dan Sullivan, United States Senate
The Honorable Don Young, United States House of Representatives
The Honorable Peter Micciche, Senate President, Alaska Senate
The Honorable Louise Stutes, Speaker of the House, Alaska House of Representatives
Kip Knudson, State/Federal Relations Director, Office of the Governor