

26th Annual International Submerged Lands Management Conference

Who Owns Alaska's Riverbeds and Lake Beds?

Speaker: Callie Webber

Abstract: The State of Alaska estimates it received title to the submerged lands of more than 20,000 rivers and streams (not including lakes). Only ten judicial determinations have been made to date. This large, young state has a vast number of untapped resources. Who will manage them? In 1992, the State of Alaska notified the Secretary of the Interior of its intent to quiet title to more than 200 rivers, streams, and lakes. The State subsequently filed on the Black, Nation, and Kandik Rivers. In 2000, the Court ruled it lacks jurisdiction over Black River because there had not yet been a dispute between the United States and Alaska over the riverbed. This decision helped prompt the Department to amend its disclaimer of interest regulations, thereby providing an administrative tool that could be used to avoid unnecessary and expensive litigation for those waterbodies all interested parties can agree are navigable, and unreserved at the time of statehood. The objective of the disclaimer is to eliminate the necessity for court action or private legislation in those instances where the U.S. asserts no ownership or record interest, based on a determination by the Bureau of Land Management. The BLM makes this determination for all federal lands. However, the BLM will not approve a disclaimer over the valid objection of another federal agency. Through coordination with state and federal agencies, the BLM has successfully used this authority to help confirm State ownership of the numerous navigable rivers and lakes in Alaska.

Speaker Information: Not available.