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### State Must Step-Up Efforts To Protect Land Access

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**JUNEAU --** In a joint Senate and House Resources oversight hearing Thursday, members heard from the state administration regarding RS 2477 rights-of-way in Alaska and inquired about a course of action to protect those rights.

The purpose of today's hearing was to ask members of the Department of Law, Department of Natural Resources and other state agencies to give a status report on what the state is doing to assert Alaska's rights-of-way across federal lands in Alaska.

"What we received was a commitment from the administration that they will record, in the state system, all those RS 2477 rights-of-way that have been researched and will also support asserting those RS 2477's in the federal system. This a big step in the right direction," said Senate Resources Chairman Rick Halford.

"I think the Clinton Administration's stance and Babbitt's recent comments regarding RS 2477 have changed the way the Knowles' administration will pursue this issue. Rather than try to get along with D.C., the Knowles' administration has now publicly recognized that the state is going to have to aggressively defend itself in the courts and also in its actions," said Halford.

House Resources Co-Chair Bill Hudson said the urgency before the State of Alaska to assert and manage RS 2477 rights-of-way stems from a January 22, 1997 decision by Secretary of the Interior Bruce Babbitt to revoke long-standing access to and across federal lands.

"The United States Congress must take a firm position in opposing Secretary Babbitt's attempts to change legal status-quo regarding RS 2477 rights-of-way," said Hudson. "The Alaska State Legislature urges Governor Knowles to manage, under existing law, RS 2477 access routes in the State of Alaska. Should the assertion of our sovereign rights end up in court, the legality of these traditional access routes will prevail," said Hudson.

"Our goal with the hearing was to discover the impact of Secretary Bruce Babbitt's action on RS 2477 and highlight the importance the Legislature puts on this issue," said Representative Scott Ogan, Co-Chair of the House Resources Committee. "We did get commitments from Attorney General Bruce Bothelo and Commissioner of the Department of Natural Resources to take a more aggressive position in asserting Alaska's rights-of-way."

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The Alaska State Legislature has appropriated \$1.2 million towards researching and documenting traditional access routes in Alaska. The Legislature passed a resolution last year supporting Congressional efforts to protect the long-standing RS2477 access provisions.

"Had the Knowles' Administration aggressively pursued these access routes last year, we may not have had to be in a position of playing catch-up now. Now the clock is ticking faster and faster toward what could be a huge loss for the citizens who have lived, worked, and recreated in Alaska for generations," said Ogan.

Senator Halford said the Alaska Legislature will work to ensure RS 2477 rights-of-way are pursued through a resolution he submitted in the State Senate Wednesday urging state and federal action.

"Our resolution supports the strong efforts by the Alaska Congressional Delegation. It also asks the Knowles administration to direct the appropriate state departments to implement a proactive and aggressive program asserting the state's ownership of RS 2477 rights-of-way," said Halford.

Hudson pointed out that no approval by the federal government has ever been required to exercise the rights granted under RS 2477. Once a right-of-way has been established, it becomes a property right under the land holder.

House Speaker Gail Phillips, who has tracked the RS 2477 issue for many years, said that access across and into federal lands are critical for the state's economic future.

"In order to bring new resource development opportunities to the state and expand our transportation system, we must have access across federal lands," said Phillips.

**Broadcast Note:** An audio actuality is available by calling 1-800-478-6540.

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