

STATE OF ALASKA

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

November 3, 1993

WALTER J. HICKEL, GOVERNOR

PLEASE REPLY TO:

- 1031 WEST 4TH AVENUE, SUITE 200
ANCHORAGE, ALASKA 99501-1984
PHONE: (907) 269-3100
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- KEY BANK BUILDING
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- P.O. BOX 110300 - STATE CAPITOL
JUNEAU, ALASKA 99811-0300
PHONE: (907) 465-9500
FAX: (907) 463-5295

Tom Fry, Director
 Department of the Interior
 Mineral Management Service
 Mail Stop 4700
 381 Elden Street
 Herdon, Virginia 22070-4817

Re: Rulemaking under the Oil Pollution Act of 1990

Dear Mr. Fry,

I have reviewed the "Special Information for Alaska," attached to the August 25, 1993 news release announcing proposed rulemaking requiring all operators of facilities handling oil and oil products to provide evidence of financial responsibility.

I am pleased to learn that the Department of Interior believes that the term "navigable waters" traditionally has included wetlands, among other water bodies. As the news release states, large areas of Alaska have been classified as wetlands. Therefore, because title to all navigable waters passed to Alaska at statehood, the state holds title to much more submerged land than Alaskans previously realized.

Now that the Department has made this position clear, I expect that the United States will disclaim interest in all Alaska's wetlands when the state formally asserts title to them.

Very truly,

Charles E. Cole
Attorney General

CEC/JG

cc: Bruce Babbitt
John D. Lesly

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To Dan Allison	From J. Grace	
Co.	Co.	
Dept.	Phone #	
Fax #	Fax #	

STATE OF ALASKA

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OFFICE OF THE ATTORNEY GENERAL

August 27, 1992

Manuel Lujan, Jr., Secretary
Department of the Interior
1849 C Street NW
Washington, D.C. 20240

Dear Mr. Lujan:

The State of Alaska intends to file real property quiet title actions as to the submerged lands described on the list attached as appendix A, and is providing you this notice pursuant to 28 U.S.C. §2409a(m). Title to these lands passed to Alaska at statehood based on the equal footing doctrine, the Submerged Land Act of May 22, 1953, P.L. 83-31, 67 Stat. 29, 43 U.S.C. §§1301 et seq., and the Alaska Statehood Act of July 7, 1958, P.L. 85-508, 72 Stat. 339, 48 U.S.C. note preceding §21.

Sincerely,

CHARLES E. COLE
ATTORNEY GENERAL

By:

Joanne M. Grace
Joanne M. Grace
Assistant Attorney General

JMG/sh
Attachment

cc: J. T. Tangen, Regional Solicitor, Department of Interior
Edward F. Spang, State Director, Bureau of Land Management
Niles Cesar, Area Director, Bureau of Indian Affairs
Walter Stieglitz, Regional Director, Fish and Wildlife Service
John Morehead, Regional Director, National Park Service

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