



# ALASKA STATE LEGISLATURE

## SENATE RESOURCES COMMITTEE

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### SENATE BILL 163

**Sponsor: Senate Rules Committee by Request of the Governor**

#### **Explanation of Changes: Version H**

1. Page 1, Lines 7-9: Amends Section 1(a) by prohibiting the Department of Environmental Conservation from managing a water of the state as an outstanding national resource water unless it has been designated as an outstanding national resource water by an act of the legislature.
2. Page 1, Lines 10-13: Amends Section 1(b) by requiring a nomination to specifically and geographically identify a water body, or portion of a waterbody, for designation as an outstanding national resource water.
3. Page 2, Lines 1-8: Amends Section 1(d) by requiring the Department of Environmental Conservation to adopt regulations establishing a process for submitting a nomination for an outstanding national resources water by providing public notice for all nominations, providing notice to all property affected by the designation, and creating a means for any resident of the state to provide additional information about the nomination.
4. Page 2, Lines 9-31/Page 3, Lines 1-2: Creates a new Section 1(e), requiring the Department of Environmental Conservation to transmit a nomination of an outstanding national resource water to the legislature if the department determined the nominated water to be unique, important, or ecologically sensitive; that the designation is necessary to protect the water due to insufficient federal and state protections; determined there is no other available/effective method of protection. The Department would need to determine whether the nominated water had either been designated a wild or scenic river; whether the water is either an ecosystem or habitat for an endangered or threatened species; whether the water is an ecosystem or habitat for an outstanding recreational fishery; or whether the water serves as the sole source of water for the use of people. The Department would describe the potential effects of a designation on endangered or threatened species; recreational fisheries; and the water supplies for the use of people.

5. Page 3, Lines 3- 8: Amends the previous bill version's Section 1(e) by reordering it to subsection 1(f), and adding a provision prohibiting the Department of Environmental Conservation from transmitting a substantially similar nomination to one already transmitted within two years of the existing nomination's original transmission.
6. Page 3, Lines 9-14: Adds a new Section 1(f), requiring the Departments of Environmental Conservation and Natural Resources to submit a report to each body of the legislature every ten years, beginning in 2017. The reports would describe each body of water designated as an outstanding national resource water and provide a recommendation regarding the continuation of that designation.
7. Page 3, Line 21: Amends Section 3 by replacing the word "may" with "shall," requiring the Department of Environmental Conservation to adopt regulations necessary for the implementation of the bill.