

31-LS0375\R
Nauman
3/20/19

CS FOR SENATE BILL NO. 51(RES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - FIRST SESSION

BY THE SENATE RESOURCES COMMITTEE

**Offered:
Referred:**

Sponsor(s): SENATE RESOURCES COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 **"An Act requiring the designation of state water as outstanding national resource water**
2 **to occur by law; relating to the authority of the Department of Environmental**
3 **Conservation, the Department of Fish and Game, and the Department of Natural**
4 **Resources to nominate water for designation as outstanding national resource water;**
5 **relating to management of outstanding national resource water by the Department of**
6 **Environmental Conservation; and providing for an effective date."**

7 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

8 *** Section 1.** AS 46.03 is amended by adding a new section to read:

9 **Sec. 46.03.085. Outstanding national resource water.** (a) Water of the state
10 may be designated as outstanding national resource water, as described in federal
11 regulation, only by law.

12 (b) The department may accept an application for a nomination of water for
13 designation as outstanding national resource water. In consultation with the

1 Department of Fish and Game and the Department of Natural Resources, the
2 department shall prepare a report listing each water nominated in the previous
3 calendar year. The report must provide a recommendation regarding whether each
4 nominated water should be designated as outstanding national resource water. On the
5 first day of each regular session of the legislature, the department shall deliver the
6 report to the senate secretary and the chief clerk of the house of representatives and
7 notify the legislature that the report is available. The preparation and delivery of a
8 report under this subsection does not constitute a final agency decision or action, and
9 the recommendation is not subject to appeal, including appeal or review under
10 AS 44.62 (Administrative Procedure Act).

11 (c) Water of the state may not be managed as outstanding national resource
12 water unless the water has been designated as outstanding national resource water
13 under (a) of this section.

14 * **Sec. 2.** This Act takes effect immediately under AS 01.10.070(c).