

CS Senate Bill 4 (CR&A)
Alaska Coastal Management Program (ACMP)
HIGHLIGHTS
January 26, 2009

Streamlines Project Reviews and District Plan Approvals

- Brings DEC permits back into the coordinated ACMP project review process
 - Eliminates need for a separate DEC review to determine ACMP consistency
 - Reduces confusion with current process about scope of ACMP review
- Promotes interagency cooperation and issue resolution
 - Encourages coordination of municipal Title 29 permitting with the ACMP process
 - Meaningful district policies will encourage local participation and resolution of issues during the state-coordinated ACMP review¹
 - Reduces chances for conflicting permit conditions (federal, state and local permits)
 - Encourages early resolution of project issues
- Allows coastal districts to have performance-based enforceable policies²

Restores Checks and Balances

- Establishes streamlined Coastal Policy Board (CPB)
 - The 9-member CPB represents coastal districts, DNR, DEC, ADF&G, and DCCED³
 - Board provides guidance on 3 matters by approving:
 - 1) District coastal plans, 2) Grant programs, & 3) ACMP regulations
 - DNR retains day-to-day management of all ACMP matters
 - DNR retains responsibility for project consistency reviews
- Involves all 3 state resource agencies in project elevations (pre-decision appeals)
- Allows districts to keep their existing plan (no requirement to amend plan as in 2003 legislation)
- Encourages districts to resolve issues with DNR before their plan is reviewed by the CPB

Restores Traditional Role of Coastal Districts

- Allows districts to establish local enforceable policies that do not conflict with state or federal law or address matters preempted by state or federal agencies
- Restores intent of the ACMP
 - Original 1977 Alaska Coastal Management Act emphasized role of local coastal districts
 - The 2004 Murkowski Administration ACMP regulations conflicted with 2004 legislation by eliminating ability to establish district enforceable policies for matters not adequately addressed by state or federal law

Restores States' Rights

- Reinstates provisions eliminated by the 2003 legislation to assert state rights
 - Allows extension of the 90-day review limit for reviews with federal permits
 - Allows review of projects inland of the coastal zone if there are coastal effects
 - Allows for review of individual oil and gas lease sales in federal OCS waters

¹ Before the 2003 ACMP changes, less than 1% of projects were appealed.

² Performance-based policies are preferred by industry (rather than policies that prescribe a specific action)

³ The former Coastal Policy Council was originally a 17-member body that had responsibility for project reviews.