



AMENDMENT # 1

HARRIS
GARA

OFFERED IN THE HOUSE
TO: CSHB 395(FIN)

1 Page 1, following line 6:

2 Insert a new bill section to read:

3 **** Section 1.** AS 29.40.040 is amended by adding a new subsection to read:

4 (c) Land use regulations of a municipality adopted under this section
5 establishing allowable uses and limitations on nonconventional gas exploration and
6 development activities, including limitations that protect neighborhoods, protect the
7 safety of residents, and limit audible noise, shall be given effect to the fullest extent
8 allowed under the Constitution of the State of Alaska."
9

10 Page 1, line 7:

11 Delete "Section 1."

12 Insert "Sec. 2."
13

14 Renumber the following bill sections accordingly.
15

16 Page 8, line 8, following "payment":

17 Insert ";

18 (3) unless provision is otherwise made in the lease by the Alaska
19 Oil and Gas Conservation Commission under AS 31.05.030(j) that would govern
20 the lessee's disposal of water produced from a coal seam as salt water or
21 nonpotable water in a manner that does not add to or contaminate surface or
22 subsurface water supplies, the lease must contain a term or condition that
23 governs the lessee's disposal of the produced water in a manner that does not add

1 **to or contaminate surface water supplies; and**

2 **(4) the lease must contain a term or condition that protects the**
3 **water quality, water quantity, and habitat of fish-bearing surface water; the term**
4 **or condition may not take effect until approved by the commissioner of fish and**
5 **game"**

6
7 Page 9, line 3:

8 Delete "**and**"

9
10 Page 9, line 6, following "**entry**":

11 Insert ";

12 **(5) for management and oversight of nonconventional gas, shall**
13 **adopt regulations under AS 38.05.127(b) and this paragraph to ensure that**
14 **exploration and development activities under a gas only lease for**
15 **nonconventional gas do not materially interfere with the public's right to access**
16 **and enjoy recreational waters, waters that contain appreciable quantities of**
17 **resident or anadromous fish, and areas important to sport or subsistence hunting**
18 **activities"**

19
20 Page 12, line 14, following "**entry**":

21 Insert ";

22 (5) for management and oversight of nonconventional gas,

23 (A) the commissioner shall adopt regulations under AS 38.05.127(b)
24 and this subparagraph to ensure that exploration and development activities under a
25 gas only lease for nonconventional gas do not materially interfere with the public's
26 right to access and enjoy recreational waters, waters that contain appreciable quantities
27 of resident or anadromous fish, and areas important to sport or subsistence hunting
28 activities;

29 (B) unless provision is otherwise made in the lease by the Alaska Oil
30 and Gas Conservation Commission under AS 31.05.030(j) that would govern the
31 lessee's disposal of water produced from a coal seam as salt water or nonpotable water

1 in a manner that does not add to or contaminate surface or subsurface water supplies,
2 the lease must contain a term or condition that governs the lessee's disposal of the
3 produced water in a manner that does not add to or contaminate surface water
4 supplies; and

5 (C) the lease must contain a term or condition that protects the water
6 quality, water quantity, and habitat of fish-bearing surface water; the term or condition
7 may not take effect until approved by the commissioner of fish and game"

8

9 Page 17, line 31:

10 Delete "sec. 8"

11 Insert "sec. 9"

12

13 Page 18, line 1:

14 Delete "sec. 9"

15 Insert "sec. 10"

16 Delete "sec. 10"

17 Insert "sec. 11"

18

19 Page 18, line 2:

20 Delete "sec. 11"

21 Insert "sec. 12"

22

23 Page 18, line 3:

24 Delete "sec. 12"

25 Insert "sec. 13"

26

27 Page 18, line 4:

28 Delete "secs. 8 - 12"

29 Insert "secs. 9 - 13"

30

31 Page 18, line 12:

- 1 Delete "sec. 13"
- 2 Insert "sec. 14"
- 3
- 4 Page 18, line 15:
 - 5 Delete "Sections 2, 4, 6, 13, 16, 18, 20, 23, and 25"
 - 6 Insert "Sections 3, 5, 7, 14, 17, 19, 21, 24, and 26"
 - 7
- 8 Page 18, line 20:
 - 9 Delete "sec. 26"
 - 10 Insert "sec. 27"
 - 11 Delete "Sections 2, 4, 6, 13, 16, 18, 20, 23, and 25"
 - 12 Insert "Sections 3, 5, 7, 14, 17, 19, 21, 24, and 26"
 - 13
- 14 Page 18, line 22:
 - 15 Delete "sec. 26"
 - 16 Insert "sec. 27"
 - 17
- 18 Page 18, line 26:
 - 19 Delete "sec. 27"
 - 20 Insert "sec. 28"