

SENATE BILL NO. 60

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY SENATOR GUESS

Introduced: 2/7/03

Referred: Resources, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to adoption and use of a unified permit application form by the natural**
2 **resource agencies; and repealing the Environmental Procedures Coordination Act."**

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

4 * **Section 1.** AS 44.19 is amended by adding new sections to read:

5 **Article 4A. Unified Permit Applications.**

6 **Sec. 44.19.211. Unified permit application clearinghouse.** The unified
7 permit application clearinghouse is established in the Office of the Governor.

8 **Sec. 44.19.213. Unified permit application form.** (a) The resource agencies
9 shall adopt a unified permit application form. The application form must require the
10 applicant to provide the following information and any other information necessary to
11 meet the statutory and regulatory permit requirements of a resource agency:

12 (1) the applicant's name;

13 (2) the applicant's contact information, including the applicant's

14 (A) address;

1 (B) telephone number;

2 (C) electronic mail address, if any;

3 (D) facsimile number, if any;

4 (3) a description of the project, including

5 (A) a complete and detailed description of the proposed project,
6 with sufficient specificity for the reviewing agencies to determine the purpose
7 of the proposed project;

8 (B) maps, diagrams, technical data, and other relevant material
9 that precisely describe the site location, topographical information, township,
10 range, section, meridian, and other site-specific information of the project; and

11 (4) the proposed start and end dates for the project.

12 (b) Following adoption of the unified permit application form by the resource
13 agencies, the unified permit application shall be the only application required for any
14 permitting action, including a consistency review under the Alaska coastal
15 management program, by the resource agencies when a project requires permits from
16 two or more resource agencies.

17 (c) Through a collaborative process, the resource agencies may, from time to
18 time, revise the unified permit application form as necessary to conform to changes in
19 applicable statutes and regulations.

20 **Sec. 44.19.215. Unified permit application.** (a) An applicant for a permit
21 from a resource agency shall complete a unified permit application on a form provided
22 by the clearinghouse and submit the application to the unified permit application
23 clearinghouse. Notwithstanding any other provision of law, on and after the date of
24 adoption of the unified permit application form under AS 44.19.213, the unified
25 permit application is the only application required for a permitting action, including a
26 consistency review under AS 46.40 (Alaska coastal management program), by a
27 resource agency when a project requires permits from two or more resource agencies.

28 (b) Within 14 days after receipt of a unified permit application, the
29 clearinghouse shall determine whether the application is complete. If the
30 clearinghouse determines that the application is incomplete, the clearinghouse shall
31 notify the applicant and identify the information necessary to complete the application.

1 Once the clearinghouse has determined that an application is complete, it shall
 2 immediately submit a copy of the application to each applicable resource agency for
 3 review.

4 **Sec. 44.19.217. Unified permit application review.** (a) Within 15 days after
 5 receipt of a complete unified permit application, a resource agency shall request from
 6 the clearinghouse any additional information necessary to conduct the agency's review
 7 of the application. The clearinghouse shall submit requests for additional information
 8 to the applicant. The clearinghouse shall supply any additional information provided
 9 by the applicant to each resource agency reviewing the application.

10 (b) Each resource agency reviewing an application shall review the unified
 11 permit application in accordance with applicable statutes and regulations. Each
 12 resource agency shall initiate public involvement in the application review process in
 13 accordance with applicable statutes and regulations. Resource agencies shall
 14 coordinate public involvement and conduct unified public hearings to the extent
 15 possible.

16 (c) A resource agency shall issue permit decisions on the application within 60
 17 days after the agency's receipt of an application, or within 60 days after the agency's
 18 receipt of any additional information, unless the commissioner of that agency finds
 19 that additional time is necessary to fulfill statutory responsibilities.

20 **Sec. 44.19.219. Definitions.** In AS 44.19.211 - 44.19.219,

21 (1) "clearinghouse" means the unified permit application clearinghouse
 22 established in AS 44.19.211;

23 (2) "permit" means a permit, lease, authorization, license, or other
 24 determination necessary for completion of a project;

25 (3) "resource agency" means

26 (A) the Department of Environmental Conservation;

27 (B) the Department of Fish and Game; or

28 (C) the Department of Natural Resources.

29 * **Sec. 2.** AS 41.17.085(a); AS 46.03.020(11); AS 46.35.010, 46.35.020, 46.35.030,
 30 46.35.040, 46.35.050, 46.35.060, 46.35.070, 46.35.080, 46.35.090, 46.35.100, 46.35.110,
 31 46.35.120, 46.35.130, 46.35.140, 46.35.150, 46.35.160, 46.35.170, 46.35.200, and 46.35.210

1 are repealed.

2 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
3 read:

4 EFFECT ON OTHER STATUTES. To the extent a provision of this Act conflicts
5 with a provision of any statute, the provision of this Act shall prevail.

6 * **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to
7 read:

8 ADOPTION OF INITIAL UNIFIED PERMIT APPLICATION FORM. Under
9 AS 44.19.213, added by sec. 1 of this Act, the Department of Environmental Conservation,
10 the Department of Fish and Game, and the Department of Natural Resources shall adopt the
11 initial unified permit application form within six months after the effective date of this Act.