

# Fiscal Note

State of Alaska  
2016 Legislative Session

Bill Version:	CSSB 163(RES)
Fiscal Note Number:	3
(S) Publish Date:	4/4/2016

Identifier: SB163CS(RES)-DNR-MLW-4-1-16  
 Title: NATL. RES. WATER  
 NOMINATION/DESIGNATION  
 Sponsor: RLS BY REQUEST OF THE GOVERNOR  
 Requester: Senate Resources

Department: Department of Natural Resources  
 Appropriation: Fire Suppression, Land & Water Resources  
 Allocation: Mining, Land & Water  
 OMB Component Number: 3002

## Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2017 Appropriation Requested	Included in Governor's FY2017 Request	Out-Year Cost Estimates					
			FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
<b>Total Operating</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

## Fund Source (Operating Only)

None								
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

## Positions

Full-time								
Part-time								
Temporary								

## Change in Revenues

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**Estimated SUPPLEMENTAL (FY2016) cost:** 0.0 (separate supplemental appropriation required)  
 (discuss reasons and fund source(s) in analysis section)

**Estimated CAPITAL (FY2017) cost:** 0.0 (separate capital appropriation required)  
 (discuss reasons and fund source(s) in analysis section)

## ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No  
 If yes, by what date are the regulations to be adopted, amended or repealed? N/A

## Why this fiscal note differs from previous version:

Revised with additional analysis in response to Committee Substitute

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 Approved By: Marty Rutherford, Acting Commissioner  
 Agency: Department of Natural Resources

Phone: (907)269-8625  
 Date: 04/01/2016 12:00 AM  
 Date: 04/01/16

## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2016 LEGISLATIVE SESSION**Analysis**

The direct fiscal impact to the Department of Natural Resources (DNR) as a result of this legislation is expected to be covered through Reimbursable Services Agreements (RSAs) from the Department of Environmental Conservation (DEC). The exact amount of these RSAs going forward is unknown, as expenditures will be based on the number and scope, if any, of future nominations under the bill.

Funding for these RSAs will come from DEC general fund program receipts (GFPR) included in the DEC fiscal note, which contains more detailed information and should be referred to.

Section 1 of the bill amends Chapter 3 of Title 46 (AS 46.03) by adding seven new sections that provide a process to implement the Federal Clean Water Act provision (40 C.F.R. Part 131.12(a)(3)) related to nomination and designation of outstanding state resource water.

Section 2 of the bill clarifies the first session of the Legislature the reporting provision of the bill is applicable to, Section 3 provides authority for DEC to promulgate regulations to implement the bill, and Section 4 provides for an effective date.

Additional potential indirect fiscal impacts to DNR could occur in the process of reviewing applications for land and water use authorizations that are within or proximal to a designated waterbody. Under the bill, the land or water use application and adjudication processes may need to evaluate and explain authorization decisions in the context of potential impact on water bodies designated as outstanding state resource water. These authorizations include water rights, temporary water uses, mining or oil and gas development permits, land use permits, leases or sales, access easements, and material sales.