

1 IN THE SENATE

BY THOMAS AND PALMER

2 SENATE BILL NO. 352

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to environmental impact statement
7 requirements."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 46 is amended by adding a new chapter to read:

10 CHAPTER 46. MISCELLANEOUS PROVISIONS.

11 Sec. 46.46.010. ENVIRONMENTAL IMPACT STATEMENTS. (a) A person
12 or governmental entity that is required to submit an environmental
13 impact statement under sec. 4332 of the National Environmental Policy
14 Act (42 U.S.C. secs. 4331-4347) shall include, in addition to pro-
15 viding its own official comments and that of other appropriate persons
16 and agencies as required by the federal statute, an environmental
17 impact statement prepared by a nongovernmental or private entity
18 having special expertise but no vested interest in the proposed
19 project, activity or action. In this section, "vested interest" means
20 a financial interest in the preparation, construction or maintenance
21 of the proposed project, activity or action, including but not limited
22 to the preparation of preliminary designs or plans, actual construction
23 or direct long-term economic benefits from its creation.

24 (b) Each modification of a project, activity or action which
25 significantly changes the project, activity or action, or its effect,
26 shall require, in addition to existing requirements, a revision of the
27 initial environmental impact statement prepared by the nongovernmental
28 or private entity. This revision shall be made available to the
29 public, and the same opportunity for public comment shall be afforded

1 as was required for the initial impact statement.

2 (c) The nongovernmental or private entity which prepares the
3 environmental impact statement required under (a) of this section
4 shall be selected by the Department of Environmental Conservation.
5 Selection shall be made according to a reasonable and equitable bidding
6 procedure as established by regulation of the Department of Environ-
7 mental Conservation.