

Introduced: 2/25/74
Referred: Resources and
State Affairs

1 IN THE SENATE

BY THOMAS, SACKETT,
PALMER AND T. MILLER

2 SENATE BILL NO. 443

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 reports."

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

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

9 CHAPTER 47. ENVIRONMENTAL IMPACT REPORTS.

10 Sec. 46.47.010. FINDINGS. The legislature finds that

11 (1) the maintenance of a quality environment for the people
12 of this state now and in the future is a matter of statewide concern;

13 (2) every citizen has a responsibility to contribute to the
14 preservation and enhancement of the environment;

15 (3) the interrelationship of policies and practices in the
16 management of natural resources and waste disposal requires systematic
17 and concerted efforts by public interests to enhance environmental
18 quality and to control environmental pollution;

19 (4) all agencies of the state government which regulate
20 activities of private individuals, corporations, and public agencies
21 which are found to affect the quality of the environment, shall regu-
22 late such activities so that major consideration is given to preventing
23 environmental damage.

24 Sec. 46.47.020. ENVIRONMENT REPORT REQUIRED. A state agency,
25 board, and commission which proposes to carry out a project, activity
26 or action which has or could have a significant effect on the environ-
27 ment of the state, shall prepare a detailed statement by the responsible
28 state official setting out the following:

29 (1) the environmental impact of the proposed action;

1 (2) any adverse environmental effects which cannot be avoided
2 if the proposal is implemented;

3 (3) mitigation measures proposed to minimize the impact;

4 (4) alternatives to the proposed action;

5 (5) the relationship between local short-term uses of man's
6 environment and the maintenance and enhancement of long-term produc-
7 tivity;

8 (6) any irreversible environmental changes which would be
9 involved in the proposed action should it be implemented.

10 Sec. 46.47.030. STATE COMMENT ON FEDERAL PROJECTS. When a
11 federal project is proposed in this state which may have a significant
12 effect on the environment and on which the state officially comments,
13 the state officials responsible for the comments shall include in their
14 report a detailed statement setting out the matters specified in
15 sec. 10 of this chapter before transmitting the comments of the
16 state to the federal government. No report shall be transmitted to
17 the federal government unless it includes a detailed statement as to
18 the matters specified in sec. 10 of this chapter.

19 Sec. 46.47.040. REPORT BEFORE FUNDING. No state agency, board,
20 or commission may request funds, nor may any state agency, board, or
21 commission which authorizes expenditures of funds, authorize funds for
22 expenditure for any project, other than a project involving only
23 planning, which could have a significant effect on the environment
24 unless such a request or authorization is accompanied by a detailed
25 statement setting out the matters specified in sec. 10 of this chap-
26 ter.

27 Sec. 46.47.050. ADMINISTRATION AND ASSISTANCE. (a) The Depart-
28 ment of Environmental Conservation shall, in conjunction with appro-
29 priate state and local agencies, coordinate the development of objectives,

1 criteria, and procedures to assure the orderly preparation and evaluation
2 of environmental impact reports required by this chapter.

3 (b) Before the making of a detailed statement, the responsible
4 state official shall consult with, and obtain comments from, any
5 governmental agency which has jurisdiction by law or special expertise
6 with respect to any environmental impact involved.

7 (c) The responsible state official shall include the environmental
8 impact report, together with any comments received from other govern-
9 mental agencies under (b) of this section, as a part of the regular
10 project report used in the existing review and budgetary process. It
11 shall be available to the legislature and to the general public.

12 Sec. 46.47.060. PUBLIC HEARING. No later than 30 days after the
13 making of a report required under this chapter, the responsible state
14 agency, board, or commission shall, after reasonable notice, hold a
15 public hearing for the purpose of receiving comment on the proposed
16 project, activity, or action.

17 Sec. 46.47.070. REVIEW OF PRESENT AUTHORITY. Every state agency,
18 board and commission shall review its present statutory authority,
19 rules, regulations, policies and procedures to determine any inconsis-
20 tencies or deficiencies in such provisions which would hinder compliance
21 with the provisions of this chapter, and shall propose to the governor
22 and the legislature no later than January, 1975 any measures necessary
23 to comply with the intent, policies, and procedures of this chapter.
24
25
26
27
28
29