

Introduced: 2/13/76
Referred: Resources and
Finance

1 IN THE HOUSE

BY ANDERSON

2 HOUSE BILL NO. 773

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to environmental impact reports; and
7 providing for an effective date."

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 36. ENVIRONMENTAL IMPACT REPORTS.

11 Sec. 46.36.010. FINDINGS. The legislature finds that

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

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

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

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

25 Sec. 46.36.020. ENVIRONMENT REPORT REQUIRED. A state agency,
26 board, or commission which proposes to carry out a project, activity or
27 action that has or could have a significant effect on the environment
28 within state-owned land shall prepare a detailed statement by the
29 responsible state official setting out the following:

- 1 (1) the environmental impact of the proposed action;
- 2 (2) any adverse environmental effects that cannot be avoided
- 3 if the proposal is implemented;
- 4 (3) mitigation measures proposed to minimize the impact;
- 5 (4) alternatives to the proposed action;
- 6 (5) the relationship between local short-term uses of man's
- 7 environment and the maintenance and enhancement of long-term produc-
- 8 tivity;
- 9 (6) any irreversible environmental changes that would be
- 10 involved in the proposed action should it be implemented.

11 Sec. 46.36.030. REPORT BEFORE FUNDING. No state agency, board,

12 or commission may request funds, nor may any state agency, board, or

13 commission which authorizes expenditures of funds, authorize funds for

14 expenditure for any project, other than a project involving only

15 planning, that could have a significant effect on the environment within

16 state-owned land unless the request or authorization is accompanied by

17 a detailed statement setting out the matters specified in sec. 20 of

18 this chapter.

19 Sec. 46.36.040. ADMINISTRATION AND ASSISTANCE. (a) The Depart-

20 ment of Environmental Conservation, in conjunction with appropriate

21 state and local agencies, shall coordinate the development of objectives

22 criteria, and procedures to assure the orderly preparation and evalua-

23 tion of environmental impact reports required by this chapter.

24 (b) Before the making of a detailed statement, the responsible

25 state official shall consult with, and obtain comments from, any govern-

26 mental agency which has jurisdiction by law or special expertise with

27 respect to any environmental impact involved.

28 (c) The responsible state official shall include the environmental

29 impact report, together with any comments received from other govern-

1 mental agencies under (b) of this section, as a part of the regular
2 project report used in the existing review and budgetary process. It
3 shall be available to the legislature and to the general public.

4 Sec. 46.36.050. PUBLIC HEARING. No later than 30 days after the
5 making of a report required under this chapter, the responsible state
6 agency, board, or commission shall, after reasonable notice, hold a
7 public hearing in the area or in close proximity of the proposed pro-
8 ject, activity, or action, for the purpose of receiving comment on the
9 proposed project, activity, or action.

10 Sec. 46.36.060. REVIEW OF PRESENT AUTHORITY. Every state agency,
11 board, and commission shall review its present statutory authority,
12 rules, regulations, policies and procedures to determine any inconsis-
13 tencies or deficiencies in such provisions that would hinder compliance
14 with the provisions of this chapter, and shall propose to the governor
15 and the legislature no later than January 1, 1977 any measures necessary
16 to comply with the intent, policies, and procedures of this chapter.

17 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-
18 070(c).