

Original sponsors: Cowper, Anderson,
Akers, et al

Offered: 4/22/77
Referred: Finance

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 425

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to erosion control; and providing for
7 an effective date."

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

9 * Section 1. AS 44.47 is amended by adding new sections to read:

10 ARTICLE 8. EROSION CONTROL ASSISTANCE.

11 Sec. 44.47.400. EROSION CONTROL FUND. There is created in the
12 Department of Community and Regional Affairs the erosion control fund.
13 From legislative appropriations to the fund, the department shall make
14 grants to eligible general law or home rule municipalities for the pur-
15 pose of controlling erosion of waterfront land due to the action of salt
16 and fresh water.

17 Sec. 44.47.410. CRITERIA FOR ESTABLISHING ELIGIBILITY. General law
18 or home rule municipalities may apply to the department for a grant
19 under sec. 400 of this chapter. Before a grant may be awarded under
20 sec. 400 of this chapter, the commissioner of community and regional
21 affairs shall determine that

- 22 (1) the grant is for the purpose of protecting public property;
23 (2) the project is feasible;
24 (3) the project is justified on the basis of public necessity;
25 (4) the local governing body of the applicant has determined
26 that the project is feasible, will provide a permanent solution to the
27 erosion problem, and is reasonably necessary to protect public property;
28 the determination shall be expressed in a resolution adopted by the local
29 governing body;

1 (5) the applicant clearly demonstrates the ability to finance
2 the local share of project costs.

3 Sec. 44.47.420. LIMITATION ON GRANTS. A general law or home rule
4 municipality applying for a grant under sec. 400 of this chapter shall
5 provide a local share of the project costs equal to 20 per cent of the
6 project costs as a condition of eligibility for the receipt of grant
7 funds under sec. 400 of this chapter. Grants for a single project,
8 exclusive of the local share required under this section, may not exceed
9 \$25,000. When grant applications exceed the level of funding appro-
10 priated, priority for approval of grant applications may be given to
11 those applications for funding of projects that will achieve permanent
12 solutions.

13 Sec. 44.47.430. REGULATIONS. The commissioner of community and
14 regional affairs may promulgate regulations under the Administrative
15 Procedure Act (AS 44.62) to implement the provisions of secs. 400 - 460
16 of this chapter.

17 Sec. 44.47.440. PROGRAM ADMINISTRATION. The commissioner of com-
18 munity and regional affairs may use funds appropriated by the legislature
19 under sec. 400 of this chapter for the purpose of paying for personnel
20 services and other related costs associated with the administration of
21 this program.

22 Sec. 44.47.450. DEFINITIONS. In secs. 400 - 460 of this chapter

23 (1) "erosion control" means bulkheads, seawalls, rock jetties,
24 dikes, groins, landfills and related structures or devices employed to
25 control or reduce the rate of erosion of shorelines or river banks and
26 shall include relocation of public improvements;

27 (2) "local share" means locally generated cash, in-kind
28 services, or federal funds;

29 (3) "project cost" means the cost of financing, site

1 acquisition including necessary easements or rights-of-way, planning,
2 engineering, dredging, construction, equipment acquisition, labor and
3 materials, but does not include the cost of maintenance and operation of
4 a project once it is constructed or cost associated with making applica-
5 tion for a grant under sec. 400 of this chapter;

6 (4) "public property" means uplands, tidelands or submerged
7 lands, public buildings, roads, airports and harbors, owned by or under
8 the jurisdiction of the state or a general law or home-rule municipality.

9 Sec. 44.47.460. SHORT TITLE. Sections 400 - 450 of this chapter
10 may be cited as the Erosion Control Assistance Act.

11 * Sec. 2. This Act takes effect July 1, 1977.