

SCR

125



Official Business

Alaska State Legislature

Senate

Committee on

Community & Regional Affairs

June 9, 1978

Pouch V
State Capitol
Juneau, Alaska 99811

LETTER OF INTENT

Information received by the Senate Community and Regional Affairs Committee has identified six sections of the coastal zone regulations submitted by the Alaska Coastal Policy Council which, in the opinion of the Committee, warrants change. These appear in the standards for timber harvest (6AAC 80.100). Three of these sections, namely 6AAC 80.100 (a), (b) (3), and (d) were deleted entirely by the House of Representatives. We concur in this result.

There are three other sections which are also of concern. Section (b) (2) of the regulations, as submitted by the Policy Council, requires that timber harvest activities in the coastal area be conducted so as to "assure unrestricted fish movement in coastal waters". The word "unrestricted" as appears in this section is absolute in its requirement, therefore placing an unreasonable burden upon the timber industry. On the other hand, the Committee does desire that fish movement in coastal waters be assured. Since we cannot amend this section and therefore have a choice only between adopting it entirely or deleting it entirely, we wish to pass the section without change. However, we strongly urge the Alaska Coastal Policy Council to delete the word "unrestricted" as it appears in this section for the reason given.

For the same reason we also urge the Alaska Coastal Policy Council to delete the word "unrestricted" as it appears in Section (c) (4). Again, we will pass this section as written, but believe that the word "unrestricted" places an unreasonable burden upon the timber industry.

Finally, we urge the Alaska Coastal Policy Council to delete the words "potential for" in Section (b) (1) as submitted by the Council. As presently written, that section requires that timber harvest activities in coastal areas be conducted so that "the location of facilities and the layout of logging systems shall be managed so as to minimize potential for adverse environmental impacts". Industry should minimize adverse environmental impacts. However, the words "potential for" add an open-ended burden, the meaning of which we are uncertain; we therefore strongly urge that these words be deleted by the Alaska Coastal Policy Council.

It is the intent of the Committee with respect to the timber harvesting process section under review that, for the reasons stated above, the Alaska Coastal Policy Council review the sections discussed above and resubmit them with the recommended changes.

Joe Orsini

JOE ORSINI, Chairman

SENATE COMMUNITY & REGIONAL AFFAIRS
COMMITTEE MEETING

June 9, 1978

Present: Senators Orsini, Ferguson, Sumner and Willis

Absent: Senator Hackney

The Senate Community and Regional Affairs Committee met directly after session this day and passed out CSHB 134 with "INDIVIDUAL RECOMMENDATIONS" and CSHCR 125 am (C&RA) with a 'Letter of Intent' that passed out with "INDIVIDUAL RECOMMENDATIONS".



ALASKA HOUSE OF REPRESENTATIVES

Community and Regional Affairs Committee

LISA RUDD, Chair

Pouch V, State Capitol
Juneau, Alaska 99811
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LETTER OF INTENT -- CSHCR 125

By the Community and Regional Affairs Committee

Testimony received by the Community and Regional Affairs Committee identified two provisions of regulations submitted by the Alaska Coastal Policy Council for which change is suggested. Both bear upon the desire of members of the committee to maintain the broadest possible opportunity for public participation in the understanding of the process of developing district and state coastal management programs. Specifically,

(1) in 6 AAC 85.120(b), it is the intent of the committee that, in addition to giving of notice of public hearing by newspaper advertisement, where no newspaper of general circulation exists within a community or region, general notice should be given by radio;

(2) in 6 AAC 85.140, it is the intent of the committee that broad public circulation through general notice or radio broadcast be given to recommendations of the Coastal Policy Council in its review of district programs, that the public at-large (rather than only those persons specifically served a written copy of the Council's recommendation) have opportunity to respond with written comments, and that the public at-large enjoy the opportunity to attend all subsequent sessions, including mediation sessions.

Language adopted by the Coastal Policy Council in each of the sections cited complies with the letter of each underlying statute; the committee recommends reconsideration and change to more nearly accord with the spirit of public participation and understanding which is the basis of the coastal management program.


LISA RUDD, CHAIR
HOUSE C&RA COMMITTEE

LR/vb