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STATE OF ALASKA

OFFICE OF THE GOVERNOR

DIVISION OF GOVERNMENTAL COORDINATION

STEVE COWPER, GOVERNOR

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PHONE: (907) 465-3562

TO: Senator Al Adams, Chairman
Senate Community and Regional Affairs Committee

FROM: Robert L. Grogan, Director
Division of Governmental Coordination

RE: Senate Bill 55

DATE: April 5, 1989

I have attached for your review the following documents:

1. The Alaska Coastal Consistency Review Process - Overview

This attachment briefly describes how the state's permitting process works. It highlights key provisions of the state's current procedures and discusses the primary benefits to applicants.

2. Coastal Consistency Review Process - Results

This document provides information on the results of consistency reviews conducted under the existing regulations. Reviews of mining, timber and oil and gas projects are highlighted.

3. Fiscal Notes

Copies of fiscal notes for the Division of Governmental Coordination and the state resource agencies are attached.

4. How to Apply for Permits in Alaska's Coastal Zone

This outreach document has been used to communicate information about the state's permitting process.

Please contact me at 465-3562 for additional information.

cc: Senate Community and Regional Affairs
Committee Members

DIVISION OF GOVERNMENTAL COORDINATION
ALASKA COASTAL CONSISTENCY REVIEW PROCESS

OVERVIEW

Since adoption of the coastal consistency review regulations in early 1984, major progress has been made to achieve the following permit reform goals:

- ° Establish regulatory deadlines for state permit decisions.
- ° Eliminate repetitive state reviews and decisions on the same project.
- ° Streamline and expedite state permit reviews and decisions.
- ° Ensure uniformity in state agency comments on federal permit decisions.
- ° Assist applicants in the processing of state and federal permits.
- ° Provide adequate opportunity for public and local government participation in state permit decisions.
- ° Achieve balanced, factually documented decisions for coastal development projects.

The state's system for reviewing and processing coastal project related permits, leases, and other approvals is governed by regulations adopted in March 1984, entitled Project Consistency with the Alaska Coastal Management Program (6 AAC 50). The regulations require that coastal projects only be reviewed one time for approvals required by the Departments of Environmental Conservation, Fish and Game, and Natural Resources and for consistency with the Alaska Coastal Management Program (ACMP). These regulations, provide for (1) easy access to and participation in the decision making process by permit applicants, (2) expedient project reviews and decisions, and (3) quick issuance of permits by the state resource agencies. Features of the existing regulations and additional efforts being taken by the state to improve the permitting process include the following:

- ° All appropriate permits and certificates for a project are evaluated in a single review. This eliminates duplicative and time consuming review of individual permits necessary for the same project.
- ° When a project requires permits of two or more state agencies or a federal permit, the Division of

Governmental Coordination (DGC) coordinates the project review and renders a conclusive consistency determination on behalf of all the state resource agencies. This provides applicants with a single state agency contact to coordinate the project review and, if necessary, resolve any outstanding conflicts. It also provides a single state voice for communicating the state's position on a project to federal permitting agencies.

- ° The consistency review regulations have streamlined the permitting process. Consistency determinations are completed in 30 to 50 days. State resource agency permits are required to be issued within 5 days of the consistency determination. Previously, the state could take six months or longer to complete the review of a project for federal consistency with the ACMP.
- ° If an applicant considers a proposed state decision to be unacceptable, opportunities exist to elevate a decision to policy makers of the state resource agencies for reconsideration. Applicants are encouraged to participate in discussions of their project at each level of review.
- ° On request, DGC will assist applicants by scheduling pre-application meetings with all the concerned agencies (state, federal and local) to discuss their project prior to filing permit applications. At these preapplication meetings, agencies provide recommendations to an applicant for designing a project that will meet review criteria and ensure compliance with state, federal, and local requirements. Also, the applicant learns how the permit process works, who to contact for information, and what to expect during the review process.
- ° A brochure which describes the state's consistency review to potential applicants has been mailed to approximately 5,000 potential applicants listed in business directories prepared by the Department of Commerce and Economic Development (attached). Part of the brochure includes a survey form which the applicant can return by mail to request additional assistance from DGC in dealing with the consistency review process.

Table 1 summarizes the number of projects reviewed since January 1984 and the results of those reviews. Of the projects reviewed, more than 99% were found to be consistent with state policies and were issued a decision at the regional level within 39 days.

TABLE 1

Consistency Reviews Summary

January 1, 1984 - June 30, 1988

<u>Total Number of Projects Reviewed:</u>	2262
Projects found Consistent:	2241
Projects Found Inconsistent:	21
<u>Average Number of Days in Review</u>	
Reviews concluded at Regional Level (2238):	39
Reviews Elevated to Directors or Commissioners for Decision (24):	53

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DIVISION OF GOVERNMENTAL COORDINATION
COASTAL CONSISTENCY REVIEW PROCESS

RESULTS

Project Review and Permit Coordination

Development projects in Alaska are regulated by a number of different federal, state, and local permits, leases, and other authorizations. Whether it is a complex project involving multiple construction activities, such as a major oil and gas project, or a relatively simple activity like a residential fill project, all require some degree of review by federal, state, and local agencies before the project can move forward. As provided under AS 44.19.145 and 6 AAC 50, the Division of Governmental Coordination (DGC) coordinates the review of coastal development projects by the state resource agencies and local communities. All state permits for a project are included in the review, the project applicant and federal permitting agencies have a single state contact during the review, and state permits are issued quickly after the review.

DGC coordinates the balancing of different state, local, and applicant interests to render a conclusive consistency determination for a proposed project. The conclusive consistency determination reflects a consensus reached by the project applicant, state resource agencies, and affected coastal communities. If an applicant, resource agency, or coastal community considers a proposed decision to be unacceptable, opportunities exist to elevate that decision to higher administrative levels in the state resource agencies for reconsideration. When a proposed coastal development project has been found consistent with applicable standards of the Alaska Coastal Management Program (ACMP), all state permits for the project are promptly issued.

Regional offices are maintained in Anchorage, Fairbanks, and Juneau for the convenience of project applicants, and to facilitate timely review and permit issuance by state resource agency personnel having the greatest familiarity with activities and resources in the region. The project review process results in a decision agreed to by the applicant, state resource agencies, and affected community, and the time needed to obtain state permits is significantly reduced.

Table 1 summarizes the number of projects reviewed over the last three fiscal years and the results of those reviews. In addition, specific information on the types of projects reviewed during fiscal year 1988 is included in Table 2. A listing of all mining, timber, and oil and gas projects reviewed during fiscal year 1988 with the number of days for their review is included in Table 3.

During 1988, two studies were undertaken to evaluate the general success of the project review process and its implementation by the state. The first study examined all Division of Governmental Coordination project files that were entered into review during Fiscal Year 1987, to determine if specific procedural steps were followed and if state and federal permits were issued in a timely manner. The second study examined the success of the process as viewed by participants involved in the process. The study surveyed the views of permit applicants, coastal communities, and state resource agency reviewers.

Results of the first study verify that projects receive a timely state decision. Chart 1 is a comparison of timeframes for issuance of state and federal permits after the project consistency review is completed. A majority of state permits (71%) were issued within five days after issuing the project consistency determination. Less than 7% of the projects reviewed took longer than thirty days, following the project consistency determinations to receive state permits. The majority of federal agency permits, however, are issued at least two to three months following the close of consistency review.

Results of the participant survey show that the process is understandable and helpful (Table 4). Participants indicate that the process achieves its basic goals, for coordinating permits, increasing communication, and resolving conflicts. Some believe the review process saves applicants, and agencies, time and money. All participants feel the current process is beneficial.

TABLE 1
PROJECT REVIEW SUMMARY

	<u>1986</u>	Fiscal Year <u>1987</u>	<u>1988</u>
Number of Project Consistency Reviews	517	482	493
Number Consistent	515	479	489
Number Inconsistent	2	3	4
Number Elevated	6	6	4
Average Number of Days in Review (w/Elevations and Inconsistents)	49	40	49
Average Number of Days in Review (wo/Elevations and Inconsistents)	44	32	34

TABLE 2

Coastal Project Consistency Review Summary
July 1, 1987 - June 30, 1988

Total Number of Project Consistency Determinations: 487

Number Found to be Consistent: 483
Number Found to be Inconsistent: 4 (1 Elevated)
Number Elevated to Directors or Commissioners: 4

Number Reviewed in Each Activity Type:

Fisheries - General.....	1
Fisheries - Remote Release.....	1
Floating Structures.....	1
Armed Forces Activities.....	2
Land Management Plans.....	1
Fisheries - Hatcheries.....	3
Fisheries Enhancement.....	5
Mining (Hard Rock).....	17
Fisheries Processing.....	10
Commercial.....	19
Shellfish.....	20
Other.....	32
Timber.....	43
Oil and Gas.....	51
Mining (Placer).....	62
Private Residential.....	109
Public Utilities/Facilities.....	110
Total	487

Average Number of Days in Review

Without Elevations and Inconsistent Projects	34
With Elevations and Inconsistent Projects	49

TABLE 3
PLACER MINING PROJECT REVIEW TIMEFRAMES
July 1, 1987 - June 30, 1988

Total Number of Projects.....62
 •Consistent.....62
 •Inconsistent.....0
 Average Number of Days in Review -- 36

<u>APPLICANT</u>	<u>PROJECT TITLE</u>	<u>NO. OF DAYS</u>
Alaska Gold Company	Norton Sound 52	41
Alaska Gold Company	Placer Mining No. F-884266	32
Alaska Gold Company	Placer Mining No. F-885774	32
Alaska Gold Company/Anvil Mining Company	Placer Mining No. F-885221	42
Alaska Placer Company	Placer Mining No. F-871130 (Cape Creek)	23
Arctic Lighterage Company	Kotzebue Sound 46	35
Ashton Mining Alaska, Inc.	Placer Mining No. A-88423	43
Asrc	Camden Bay 3	44
Au Mining Company (Vial, Michael L.)	Canale Creek 1 (Placer Mining No. F-884357)	32
Austin, Jeffery M.	Placer Mining No. A-872597	36
Berg, Rhinehart	Placer Mining No. F-884252	40
Berg, Rhinehart	Placer Mining No. F-885756	36
Berg-Wetlesen	Mud Creek 1 (Placer Mining No. F-884251)	42
Blake	Placer Mining No. F-884520	39
Blondeau, R. Wayne	Placer Mining No. A-885002	27
Bloom, Gary L.	Placer Mining No. A-871982	43
Brister, Donald	Tugidak Passage 2 (Placer Mining No. A-871996)	43
Candle Mining Company	Jump Creek 1	31
Candle Mining Company	Kugruk River 1	31
Capital Enterprises, Inc.	Placer Mining No. A-885518	43
Charter Resources (Kierstead, Ron)	Placer Mining NO. A-885519	42
Childers, Westley	Placer Mining No. J-872615	44
Cominco	Chukchi Sea 9 Modification	29
Cominco	Chukchi Sea 9 Modification Runway/Shop/Camp	27
Cominco	Chukchi Sea 9 Modification Seaport Facilities	27
Dempsey, Daniel K.	Placer Mining No. A-884116	25
Engstrom, Ronald	Placer Mining No. F-884596	50
Foster, Neal	Placer Mining No. F-885804 (Dome Creek)	39
GHD Resources	Kiwalik River 1 (Placer Mining No. F-881704)	45
Game Creek Mining Corp. (Sourant, James)	Placer Mining No. A-884112	22
Gardner, Layne	Placer Mining No. F-881914 (Bear Creek)	22
Glanville, Carl	Placer Mining No. A-884146	26
Glanville, Carl and Dessie	Placer Mining No. A-872613	23
Global Resources	Placer Mining No. F-885797 (American Creek)	37
Hatch, Edwin L.	Placer Mining No. F-883592	36
Hope Mining Company	Placer Mining No. A-884181	62
Hughes, Kenneth	Placer Mining No. F-884269	37
Hyak Company	Placer Mining No. J-872601	27
Inspiration Gold, Inc.	Snake River Water Withdrawal	19
Johnson, Thomas	Placer Mining No. F-885248	33
LAC Minerals, Inc.	Moira Sound 6	32
L & B Mining Company	Bear Creek 2 (Placer Mining No. F-884474)	27
Lee, Richard E.	Placer Mining No. F-871732	60
Loud, Richard	Placer Mining No. F-884543 (Quartz Creek)	29
Massie, Perry	Placer Mining No. F-874117 (Global Resources)	33
Mathison, Diane E.	Placer Mining No. F-884337	27

PLACER MINING PROJECT REVIEW TIMEFRAMES

<u>APPLICANT</u>	<u>PROJECT TITLE</u>	<u>NO. OF DAYS</u>
McIsaac, Gary N.	Placer Mining No. A-877610	27
McIsaac, Gary N.	Placer Mining No. A-884233	48
Mullikin, Donald	Placer Mining No. F-885801	34
N.B. Tweet & Sons	Placer Mining No. F-885771	50
Palkovitch, Yoram	Sitkinak Strait 2 (Placer Mining No. A-885006)	60
Penz, David	Placer Mining No. A-884031	20
Phillips, Gerald Charles	Placer Mining No. F-885790 (Sheridan)	37
Plockweitz, Carl	Placer Mining No. F-873065	27
Schnable, John	Placer Mining No. J-884133	27
Slatt, John	Placer Mining No. F-884299 (Weise Creek)	42
Tachick, Wayne	Placer Mining No. F-884379	50
Thundu Mining Company	Placer Mining No. 27424	56
Toohey, Cynthia	Placer Mining No. A-884045	14
Tundra Exploration (Vial, Comstock)	Placer Mining No. F-884573	29
Velikanje, Betty	Placer Mining No. J-872609	47
Wren, Clarence	Placer Mining No. A-871657	40

HARD ROCK MINING PROJECT REVIEW TIMEFRAMES

July 1, 1987 - June 30, 1988

Total Number of Projects.....17

•Consistent.....17

•Inconsistent.....0

Average Number of Days in Review -- 30

<u>APPLICANT</u>	<u>PROJECT TITLE</u>	<u>NO. OF DAYS</u>
Amselco Minerals, Incorporated	Amselco Temporary Water Rights - Woewodski	21
Curator America, Incorporated	Jualin Mine Exploration Road	52
Echo Bay Exploration, Inc.	Echo Bay Exploration Road Bed Develop. Phase I	20
Echo Bay Exploration	Lynn Canal 29	60
Echo Bay Exploration, Inc.	Sheep Creek Mine Access Road Upgrade	26
Enserch	Water Use - Red Dog (Expedited Review)	1
Enserch	Red Dog Camp Facilities	27
FMC Gold Company	Spaulding Meadows Exploration	26
Greens Creek Mining Company	Chatham Strait 102 Modification	19
Greens Creek Mining Company	Chatham Strait 104 First Modification	41
Greens Creek Mining Company	Chatham Strait 104 Second Modification	42
Greens Creek Mining Company	Hawk Inlet 1	56
Regent Alaska	Grizzly Bar/Oozy Flats Exploration (PMA J884832)	18
Salisbury & Associates	Ilene Claim Drilling	9
Snowlion Mining Company (Fabrizio)	Porcupine Creek JDS Claim Exploration (PMA J-880715)	23
Snowlion Mining Company (Fabrizio)	Porcupine Creek Snowlion Claim Exploration (PMA J-880725)	23
Trump, Jeanne	Leroy Mine Exploration	41

OIL AND GAS PROJECT REVIEW TIMEFRAMES
 July 1, 1987 - June 30, 1988

Total Number of Projects.....51
 • Consistent.....51
 • Inconsistent.....0
 Average Number of Days in Review -- 24

<u>APPLICANT</u>	<u>PROJECT TITLE</u>	<u>NO. OF DAYS</u>
Alaska Crude Corporation	Beluga River 2	42
Amerada Hess Corporation	Beaufort Sea 416 Relocation of CIDS	16
Amerada Hess Corporation	North Star #3 Exploratory Project	20
Amoco	Amoco 1988 Geophysical Survey	18
Amoco	Belcher Prospect Expioration Plan Modification	53
Aqpapit, Incorporated	Flowton Tundra Travel	37
Arco	Arco 1988 Cook Inlet Seismic	47
Arco	Beaufort Sea 415 Modification	15
Arco	Colville River Delta Seismic	19
Arco	Draft Class I UIC Permits (3) Prudhoe Bay Field	73
Arco	Kuparuk River 21 Modification	14
Arco	Kuparuk River 84 Modification	27
Arco	Kuparuk Unit Seismic	8
Arco	Kuparuk Waterfloor Seawater Treatment NPDES	19
Arco	Moose River 1 - Arco Exploratory Well	48
Arco	Prudhoe Bay Seismic	16
Arco	Prudhoe Bay Unit 3-D Seismic	14
Arco	Sag River Culvert Installation	18
Arco	Sag River Temporary Crossing	25
Arco	Sag Site "C" Water Use	16
Arco	Tundra Travel - Kuparuk Unit	17
Borealis Resources, Incorporated	Beluga River 3	49
Chevron	Chevron 1988 West Cook Inlet Seismic	41
Cold Weather Contractors	Sag Site C/Lake Colleen Water Withdrawal	16
Conoco	Beaufort Sea 182 Modification	20
Conoco	Kuparuk River 96 Modification	1
Environmental Protection Agency	Chukchi Sea NPDES General Permit AKG288000	44
Marathon Oil Company	Marathon Steelhead Relief Well	1
Marathon Oil Company	Marathon Steelhead Relief Well - Alteration	16
Marathon Oil Company	McArthur River Pipeline Repair	9
NOAA, Ocean Assessment Division	NOAA Jakolof Bay Experimental Discharge	46
Northwest Alaska Pipeline Company	Sagavanirktok River 120 Renewal	15
Standard	Beaufort Sea 93 Modification Pad X Expansion	14
Standard	Beaufort Sea 96 Modification	14
Standard	Beaufort Sea 165 Modification	14
Standard	Beaufort Sea 200 Expansion of Well Pad "Y"	14
Standard	Beaufort Sea 268 Modification	18
Standard	Beaufort Sea 295 Modification	14
Standard	Beaufort Sea 340 Modification	18
Standard	Draft Class I UIC Permit AK-1H001-I (Well #P18)	43
Standard	Draft Class I UIC Permit AK-1H002-I (Well #R16)	43
Standard	Endicott Erosion Protection Grain Modification	7
Standard	Prudhoe Bay 18 Well Pad Modification	21
Standard	Sag Site C Water Rights	27
Tenneco Oil Company	Beaufort Sea Lease Sale 87 Aurora Prospect	50
Tenneco Production Company	Tenneco Aurora Prospect Exploratory Plan 1988	13

OIL AN GAS PROJECT REVIEW TIMEFRAMES

<u>APPLICANT</u>	<u>PROJECT TITLE</u>	<u>NO. OF DAYS</u>
UIC Construction	Chukchi Sea 30	50
- Union Pacific Resources Company	Cook Inlet 343 Modification	16
Western Geophysical Company	Colville/Fish Creek Seismic	29
Western Geophysical Company	Seismic Exploration	18
Yukon Pacific Corporation	Tags State Right-of-Way Lease	37

TIMBER PROJECT REVIEW TIMEFRAMES

June 30, 1987 - July 1, 1988

Total Number of Projects.....43

•Consistent.....43

•Inconsistent.....0

Average Number of Days in Review -- 36

<u>APPLICANT</u>	<u>PROJECT TITLE</u>	<u>NO. OF DAYS</u>
Afognak Native Corporation	Marmot Bay 6 (Revised)	43
Alaska Pulp Corporation	Frederick Sound 44	34
Bureau of Indian Affairs	Chilkat River Valley Native Allotments	55
Cape Fox Corporation	Carroll Inlet 17 Modification	20
Cookoot Lumber Company	Lutak Inlet 14	43
Eyes Corporation	Orca Inlet 122	58
Goldbelt, Incorporated	Hobart Bay 2	37
Ketchikan Pulp Company	Clarence Strait 53	47
Ketchikan Pulp Company	Polk Inlet 1	44
Ketchikan Pulp Company	Ward Cove 28	46
Klawock Island Dock Company	Klawock Inlet 56 Modification	16
Klukwan, Incorporated	Carroll Inlet 19	34
Matanuska Susitna Borough	Seldovia Bay 68	45
Metlakatla Indian Community	Port Chester 16 Modification	24
Mud Bight Associates	Tongass Narrows 394 Modification	34
Sealaska Corporation	Hetta Inlet 8	60
Sealaska Corporation	Kasaan Bay 43	46
Sealaska Corporation	Kasaan Bay 44	23
Sealaska Corporation	Kasaan Bay 45	43
Sealaska Corporation	Sukkwon Strait 12 Modification	15
Sealaska Corporation	Tlevak Strait 9 Modification	25
Sealaska Corporation	Tlevak Strait 14 Modification	25
Sealaska Corporation	Tlevak Strait 18	49
Sealaska Corporation	Tlevak Strait 19	49
Sealaska Corporation	Tolstoi Bay 1	61
South-Central Timber Development, Inc.	Icy Strait 6 Modification	28
U.S. Forest Service	Carroll Inlet 18	44
U.S. Forest Service	Cholmondeley Sound 16	48
U.S. Forest Service	Couverden Camp Relocation	18
U.S. Forest Service	Davidson Inlet 8 Modification	13
U.S. Forest Service	Ernest Sound 22	45
U.S. Forest Service	Frederick Sound 28	25
U.S. Forest Service	Icy Strait 6 Modification	14
U.S. Forest Service	Keku Strait 26 Modification	14
U.S. Forest Service	Marble Passage 1	51
U.S. Forest Service	Polk Inlet Burning/Smoke Management Plan	39
U.S. Forest Service	Prince of Wales Burning/Smoke Management Plan	42
U.S. Forest Service	Staney/Shaheen Creek Bridge Replacements	41
U.S. Forest Service	Shoal Cove Burning/Smoke Management Plan	35
U.S. Forest Service	Suemez Island Burning/Smoke Management Plan	36
U.S. Forest Service	Suemez Island Dolores/Adrian Timber Sale Modif.	1
U.S. Forest Service	Ulloa Channel 4	48
U.S. Forest Service	Yatak Creek Bridge Replacement	43

Chart 1

Comparison of Timeframes for Permit Issuance

Total Permits State: 332
(Information Available): Federal: 288



36
(10%)

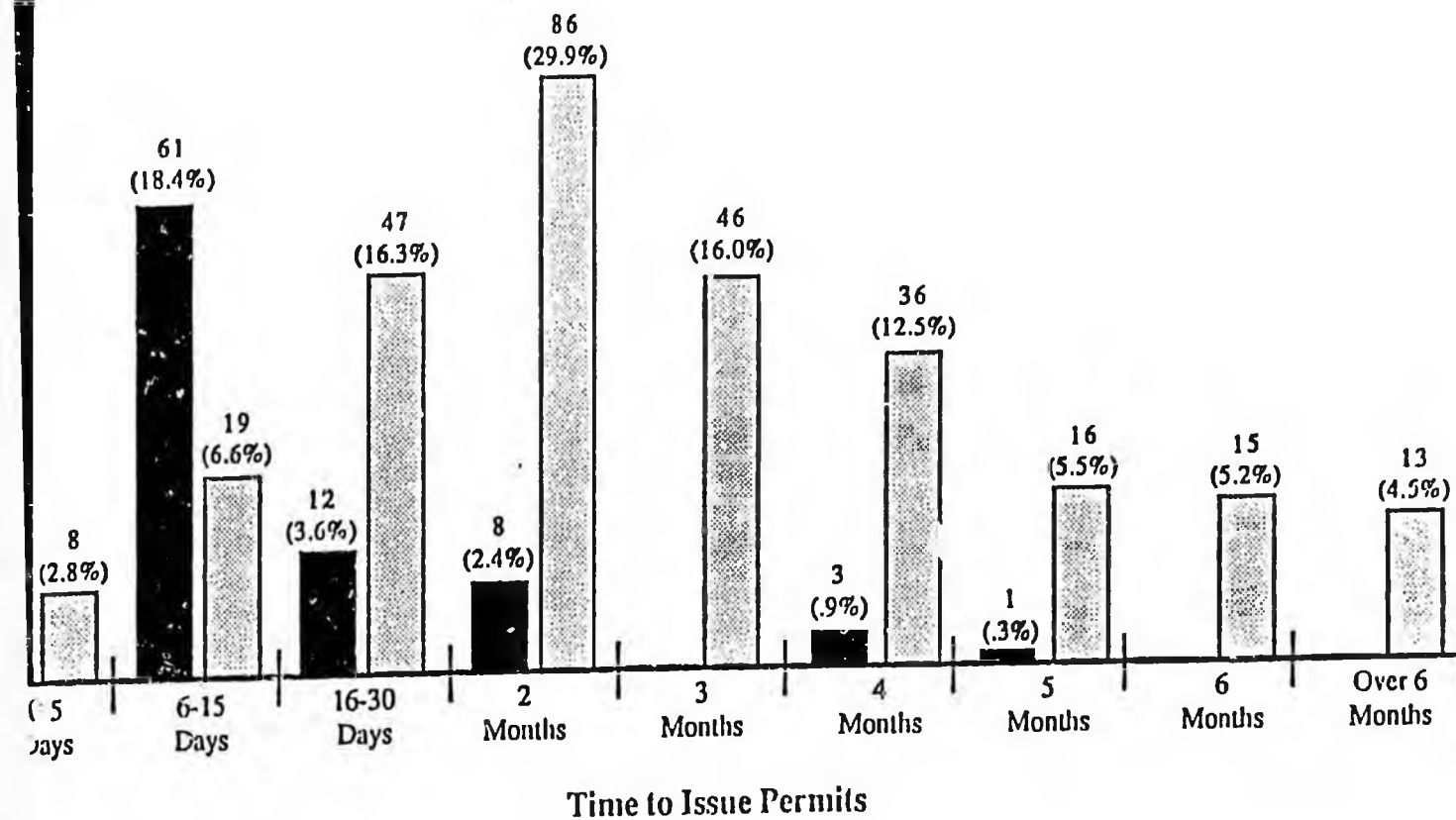


TABLE 4

MEAN SCORES FOR MAJOR GROUPS

STATEMENTS	DISTRICT CONTACTS (n = 17)	STATE AGENCY REVIEWERS (n = 17)	APPLICANTS (n = 40)
(scale: 5 = strongly agree, 4 = agree, 3 = neutral, 2 = disagree, 1 = strongly disagree)			
CONCERNING REVIEW PROCEDURES			
1. Clarity of steps/terms	4.05	3.82	3.92
2. Clarity of opportunities	3.50	4.06	3.65
3. Acceptability of time-frame	3.52	3.23	3.05
4. Necessity of stopping clock	4.45	3.86	3.40
5. Usefulness of pre-application review	4.00	4.50	4.04
6. Helpfulness of proposed determination	3.07	3.70	3.95
7. Helpfulness/knowledge of DGC staff	4.41	3.94	4.47
CONCERNING REVIEW GOALS			
8. Coordinates permits	3.88	3.94	4.00
9. Increases communication	3.75	3.59	3.78
10. Gets communities involved	3.69	3.94	3.61
11. Helps clarify interests/goals	3.86	4.00	3.68
12. Helps fill information needs	3.81	3.76	3.84
13. Develops better alternative solutions	3.53	3.70	3.05
CONCERNING REVIEW RESULTS			
14. Helps resolve/prevent conflict	3.56	3.70	3.72
15. Saves the applicant time/money	n.a.	n.a.	3.76
16. Save (entity) time/money	3.54	2.94	n.a.
17. State agency permits issued promptly	4.00	3.88	3.67
18. Federal agency permits issued promptly	3.25	2.62	2.74
19. DGC office helps federal permits	3.58	3.94	3.59

n.a. = not applicable

FISCAL NOTE

REQUEST:

Revision Date: _____
 Title: An Act relating to the
issuance of Permits and Consistency
 Sponsor: Senator Pearce
 Requestor: Senator Pearce

Agency Affected: Governors Office
 BRU: Office of Management & Budget
Determinations
 Components: Division of Governmental
Coordination

EXPENDITURES/REVENUES: (Thousands of Dollars)

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OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES		(-) 159.7	0	0	0	0
TRAVEL		(-) 5.0	0	0	0	0
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	(-) 164.7	0	0	0	0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME		(-) 3.0	0	0	0	0
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Robert L. Grogan Phone: 465-3562
 Division: Governmental Coordination Date: February 6, 1989

Approved by Commissioner: [Signature] Date: February 6, 1989
 Agency: Governors Office

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

ANALYSIS OF THE FISCAL IMPACT OF SB 55

This bill would transfer some administrative responsibilities for issuing coastal management consistency determinations from the Departments of Environmental Conservation, Fish and Game, and the Division of Governmental Coordination (DGC) to the Department of Natural Resources (DNR). The bill would direct DNR to coordinate the review of projects that require permits on state or federal lands and water. Review of projects on private land that require two or more state or federal permits would be coordinated by DGC. The review of projects on private land that require a single state permit would be coordinated by the state permitting agency.

The fiscal effect of SB 55 on DGC would be a slight reduction in workforce. DGC coordinates project reviews on a decentralized basis. Regional offices in Fairbanks, Anchorage, and Juneau provide a direct contact point for permit applicants to access the state's project review process. Although the number of project reviews coordinated by DGC may decline under SB 55, the regional office structure would be maintained to provide permit applicants on private lands with the services provided applicants on state or federal lands. Fiscal reductions to DGC under SB 55 would include the following:

- 100 - Personnel 159.7 (3.0 FTE)
Reduction of 1 FTE from each regional office.

- 200 - Travel 5.0

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STATE OF ALASKA
1989 LEGISLATIVE SESSION

BILL VERSION: SB 55

PUBLISH DATE: _____

FISCAL NOTE

OFFICE OF
MANAGEMENT & BUDGET

REQUEST:

Revision Date: 7-Feb-89
Title: An Act relating to the issuance of permits and consistency determinations
Sponsor: Senator Pearce
Requestor: Senator Pearce

Agency Affected: Natural Resources
BRU: Land & Water, Forestry, Mining Management, Parks, Petroleum
Components: Land & Water, Forestry, Mining, Hist Res Mgmt, Petroleum, Admin Svcs

~~COORDINATION~~

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES		676.8	678.8	680.9	682.8	684.9
TRAVEL		61.0	61.0	61.0	61.0	61.0
CONTRACTUAL		99.5	99.5	99.5	99.5	99.5
SUPPLIES		13.0	13.0	13.0	13.0	13.0
EQUIPMENT		27.5	2.0	2.0	2.0	2.0
LAND&STRUCTURES						
GRANTS,CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	877.8	854.3	856.4	858.3	860.4
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	0.0	877.8	854.3	856.4	858.3	860.4
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	877.8	854.3	856.4	858.3	860.4

POSITIONS:

FULL-TIME		14.0	14.0	14.0	14.0	14.0
PART-TIME		4.0	4.0	4.0	4.0	4.0
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

See Attached

Prepared by: Carol Wilson

Phone: 465-2400

Division: Commissioners Office

Date: 7-Feb-89

Approved by Commissioner: Lennie Gorsuch

Date: 7-Feb-89

Agency: Department of Natural Resources

Distribution (by preparer) :

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

ANALYSIS OF THE FISCAL IMPACT OF SB 55

This bill would transfer some responsibilities for issuing coastal management consistency determinations from the Department of Environmental Conservation, the Department of Fish and Game, and the Division of Governmental Coordination (DGC), to the Department of Natural Resources (DNR). The bill would direct DNR to coordinate the review of projects that require use of state or federal land and water. Review of projects on private land that require two or more state or federal permits would continue to be coordinated by DGC. The review of projects on private land that require a single state permit would be coordinated by the state permitting agency.

This bill would increase the workload of DNR resource management divisions as well as the department's management division. The major portion of the consistency review workload would be assumed by the Division of Land and Water Management. But the Division of Forestry, the Division of Mining, the Division of Oil and Gas, and the Office of History and Archaeology in the Division of Parks and Outdoor Recreation, would also assume considerable new tracking, processing, and coordinating tasks under this bill. Assumption of these new tasks would require the following additional funding:

Division of Land and Water Management:

100 Personal Services.....290.8

Central Office:

1 Natural Resource Manager I

Southcentral Regional Office:

2 Natural Resource Officer II

1 Clerk Typist III

Northern Regional Office:

1/2 Natural Resource Officer II

1 Clerk Typist III

Southeast Regional Office:

1/2 Natural Resource Officer

1 Clerk Typist III

200 Travel.....40.0

Staff travel required for on-site inspections and appraisals of proposed activities.

Staff travel to review federal activities and demonstrations.

Travel for regional permit coordinators to attend staff meetings at the central office in Anchorage.

Travel for the director to meet with industry representatives, permit applicants, and state agency representatives regarding the consistency review program.

Per diem for the travel described above.

300 Contractual.....77.0

Local and long distance telephone service, postage and telex expenses, contract payments on telephone equipment for central office and three regional offices.

Hook-up charge for computer terminals to mainframe; courier services; printing, duplication, and related expenses to ensure project review materials are available for necessary agency and public reviews.

Service agreements on owned equipment, including computer equipment, photocopiers, and postage machines.

Photocopy equipment rental and paper charges for central and regional offices.

400 Supplies.....8.0

Office supplies, computer diskettes, printer cartridges and ribbons.

500 Equipment.....16.0

File cabinets, computer terminals and associated furniture.

Total DL&WM funding required.....431.8

Division of Forestry:

100 Personal Services.....118.5

Southeast Region:

1 Forester II

1/2 Clerk Typist II

Southcentral Region:

1 Forester II

1/2 Clerk Typist II

200 Travel.....1.0

300 Contractual.....	6.0
400 Supplies.....	1.0
Total D. of Forestry funding required.....	<u>126.5</u>

Division of Parks and Outdoor Recreation:

100 Personal Services.....	38.8
Archeologist I, 5 months	
Archeologist I, 4 months	
200 Travel.....	1.0
400 Supplies.....	1.0
Total D. of Parks and Outdoor Recreation funding request	<u>40.8</u>

Division of Mining:

100 Personal Services.....	62.9
2 Document Processor III	
200 Travel.....	4.0
300 Contractual.....	2.5
400 Supplies.....	1.0
500 Equipment.....	5.0
Total D. of Mining funding request.....	<u>75.4</u>

Division of Oil and Gas:

100 Personal Services.....	120.6
1 Natural Resource Manager I	
1 Natural Resource Officer I	
1 Clerk Typist III	
200 Travel.....	15.0

300 Contractual.....10.0
500 Equipment.....3.0
Total Division of Oil and Gas funding request.....148.6

Division of Management:

100 Personal Services.....45.2
 1 Accounting Technician III
300 Contractual.....4.0
400 Supplies.....2.0
500 Equipment.....3.5
Total Division of Management funding request.....54.7

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: Issuance of Permits and
Consistency Determinations
Sponsor: Pearce
Requestor: _____

Agency Affected: Dept. of Fish and Game
BRU: Habitat
Components: COORDINATION

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES	0	0	0	0	0	
TRAVEL	0	0	0	0	0	
CONTRACTUAL	0	0	0	0	0	
SUPPLIES	0	0	0	0	0	
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME	0	0	0	0	0	
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by Frank Rue, Director Phone: 465-4105
Division: Habitat Date: 2/10/89

Approved by Commissioner: [Signature] Date: 2/13/89
Agency: Department of Fish and Game

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

FISCAL NOTE

FEB 16 1989

REQUEST:

Revision Date: _____
Title: An Act relating to the issuance of permits and consistency determinations
Sponsor: Senator Pearce
Requestor: Senator Pearce

Agency Affected: Environmental Conservation
BRU: Environmental Quality
Components: Water Quality Management, Wastewater and water treatment, Hazardous and Solid Waste Management

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES		(2.0)	-0-	0	0	0
TRAVEL		(1.0)	-0-	0	0	0
CONTRACTUAL		(5.0)	-0-			
SUPPLIES		(2.0)	-0-			
EQUIPMENT		-0-				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	(10.0)				

CAPITAL	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94

REVENUE	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94

FUNDING: (Thousands of Dollars)

GENERAL FUND	0.0	(10.0)	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

ANALYSIS : (Attach a separate page if necessary)

SEE ATTACHED

Prepared by: Doug Redburn Phone: 465-2653
Division: Environmental Quality Date: 2/13/89

Approved by Commissioner: [Signature] Date: 2/13/89
Agency: Dept. of Environmental Conservation

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

ANALYSIS OF THE FISCAL IMPACT OF SB 55

This bill would transfer some administrative responsibilities for issuing coastal management consistency determinations from the Department of Environmental Conservation (DEC) to the Department of Natural Resources (DNR). Specifically, DNR would be required to coordinate those single-agency consistency reviews currently coordinated by DEC for projects on state and federal land and water. The permits principally involved would include coordination duties associated with the solid waste permit and wastewater discharge permit. The lead technical review of these permits would remain with DEC. Interagency and coastal district coordination would shift to DNR.

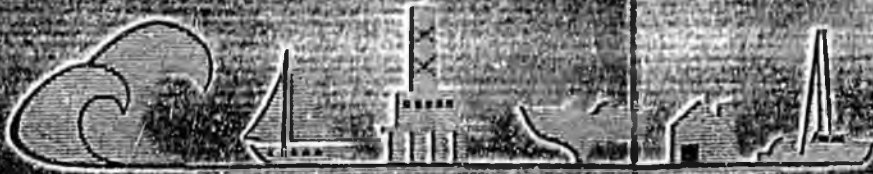
DEC participates in most ACMP consistency reviews as a reviewer rather than a coordinator. In most instances, if a DEC permit or approval is needed, other state or federal permits will also be required and the Division of Governmental Coordination (DGC) acts as the coordinating agency. Also, DEC has a number of its permits and approvals on the expedited review lists (ie. categorically consistent and general concurrence). Permits on these lists have already been found to be consistent with the ACMP, hence, there is no need for a coordinated consistency review.

Based on permit records for FY 1988, DEC acted as the single-agency consistency coordinator for 52 permits statewide (20 in Southeast; 19 in Southcentral; 13 in the Northern office). DEC participated as a coastal consistency reviewer in approximately 1000 project reviews statewide in FY 88. DEC does not keep track of whether project reviews are conducted on state, federal or private land. DGC, however, estimates that approximately half of the projects they review are for activities on private land. Therefore, assuming that half of the DEC-coordinated reviews are on private land (and would not be transferred to DNR for coordinating), an estimated 2% (or 26 reviews) of DEC's current responsibilities for coordinating or participating in consistency reviews would be transferred to DNR. Time spent telephoning agencies and coastal districts, copying and mailing costs for proposed consistency determinations, and travel to resolve disputes constitute major costs.

The fiscal effect of SB 55 on DEC would be a slight reduction in permit coordination responsibilities. This reduction is reflected in the attached fiscal note.

How To
Apply
For
State Permits
In
Alaska's
Coastal
Zone





The State of Alaska has a streamlined, coordinated system for reviewing applications and issuing permits for proposed projects that would affect natural resources in Alaska's coastal zone. It's called the *consistency review process*.

This brochure briefly outlines the consistency review process for applicants seeking resource-related state and federal permits.* The review process is more fully explained in state regulation 6 AAC 50. The consistency review process does not cover business licenses, municipal authorizations, or projects outside the coastal zone.

The Consistency Review Process Provides

- Quick answers to whether your project is in the coastal zone and what permits you need.
- A one-stop, consolidated state response to coastal development projects and related state and federal permit applications.
- Specific timeframes and deadlines for permit issuance.
- A fast appeal process.

* Federal agencies, please contact the Division of Governmental Coordination regarding procedures for direct federal actions.

The State Permitting Process

The consistency review process is based on the Alaska Coastal Management Program and is designed to improve management of Alaska's coastal land and water uses. Project proposals are reviewed to:

- Determine the project's consistency with the Alaska Coastal Management Program.
- Identify permits required by the state resource agencies, that is, the Alaska Departments of Environmental Conservation, Fish and Game, and Natural Resources.
- Trigger the issuance of necessary permits and other authorizations by state resource agencies.

Who Handles The Consistency Review Process?

If a federal permit or permits from more than one state agency are required, the consistency review process is coordinated by a regional office of the Division of Governmental Coordination in the Office of the Governor. If permits from only one state agency are required, the state agency responsible for issuing those permits coordinates the review.

To Start

Project applicants should complete the *Coastal Project Questionnaire* to determine which permits are needed. *Note: Placer miners see below.*

Copies of the questionnaire are available from the Division of Governmental Coordination (DGC), the resource agencies, or the U.S. Army Corps of Engineers (COE). Regional DGC contacts are shown on the back of this brochure. The COE has a toll-free telephone number: 1-800-478-2712.

Filling out the questionnaire properly is important and will help agencies process your project application without delays. If you have any questions or need assistance, contact a regional DGC or state agency office (listed on the questionnaire). The questionnaire includes a *Certification of Consistency* which must be completed and signed by you to meet federal requirements.

The Coastal Project Questionnaire will help identify which permits are needed, your contacts for the consistency review process and the DGC regional office that will be working with you.

Placer miners should submit a *Triagency Application* to the Department of Natural Resources (DNR) instead of completing the Coastal Project Questionnaire. Contact the DNR Division of Mining and Geology, or the nearest DGC regional office for more information.

Preapplication Meetings Can Save You Time

Before you settle on your final project plans and submit your application, the state can arrange for meetings between you and state agency representatives. These can help identify concerns and information needs, and encourage a mutual understanding of the project. To arrange for a preapplication meeting, call or write the coordinating agency contact.

Review Begins When The Application Packet Is Complete

Consistency review begins upon receipt of your complete application packet, which will be prepared by you and the agencies. A complete packet includes:

- The Coastal Project Questionnaire and signed Certification of Consistency.
- Copies of any state permit applications needed for the project (originals go to the state agency issuing the permit).
- Copies of any federal permit applications needed for the project (originals go to the federal agency issuing the permit).
- Any additional pertinent information including public notices from agencies.

Who Reviews The Project ?

The participants in the review process include:

1. You, the applicant
2. State resource agencies and the Division of Governmental Coordination
3. The affected local coastal community
4. Other interested members of the public

Steps in the Review Process

Start-up

You will be notified when the review starts. You will receive your project's assigned review number, review schedule, and other information.

Information Requests

Agencies may request additional information from you up to the 25th day of the review. The coordinating agency may stop the review until that information is received.

Proposed Determination

After reviewing comments on the packet, the coordinating agency will develop a proposed consistency determination. It will be discussed with you, state resource agencies, and coastal districts.

Conclusive Determination

A conclusive consistency determination will be issued upon agreement of the proposed determination.

Permits

Agencies will issue state permits covered by the determination within five days after the conclusive consistency determination is issued.

see other side →

Name _____
Organization _____
Street (or Box #) _____
City _____ State _____ Zip _____

Please send more detailed information on:

- Alaska Consistency Review Process
- The Alaska Coastal Management Program

I would attend a consistency review process workshop scheduled in my area.

Yes _____ No _____

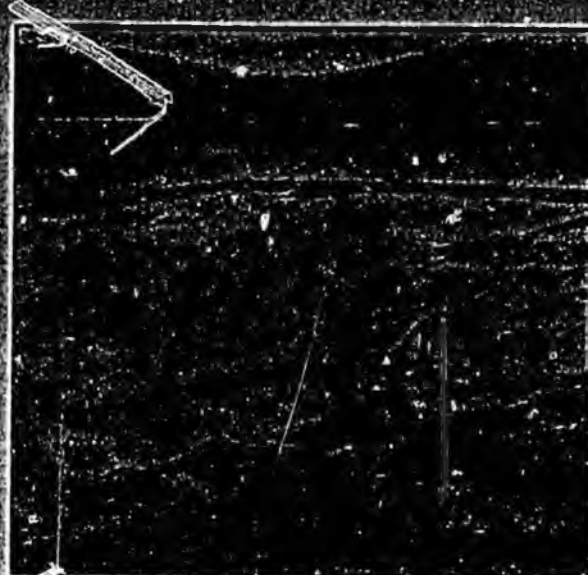
Division of Governmental Coordination
 Office of the Governor, State of Alaska
 P.O. Box AW
 Juneau, Alaska 99811

30-Day and 50-Day Review Schedules

Federal and state public notice requirements determine the review schedule for your project. A 30-day review schedule will be used if a public notice is not required and all associated state permits can be issued in 30 days. A 50-day review schedule will be used for projects with approvals requiring a public notice. These schedules limit the amount of time state agencies have to review your project and issue state permits if the project is found consistent with Alaska Coastal Management Program standards.*

	30-Day Review	50-Day Review
Consistency review begins	Day 1	Day 1
Deadline for regional reviewers to request additional information	Day 15	Day 25
Public and agency reviewer comments due	Day 17	Day 34
Notification of preliminary determination	Day 24	Day 44
Request for elevation	Day 29	Day 49
Conclusive consistency determination issued (unless elevation requested)	Day 30	Day 50
If elevated, director's determination	Day 45	Day 65
If elevated again, commissioner's determination	Day 60	Day 80

* These schedules may be extended only under circumstances outlined in 6 AAC 50.110.



Elevation (Appeal) Process

If you do not concur with the proposed determination on your project, you may request *elevation*, or further review by division directors within the state resource agencies. The directors review the proposed determination and any additional information included in the elevation request, then issue a second proposed determination.

You may then elevate the review to the commissioners of the resource agencies if the director-level review does not satisfy your interests. This is the final step in the administrative appeal process.

Each elevation review can take no longer than 15 days. State resource agencies and coastal districts may also request elevation. In actual practice, elevation has rarely been required.

For More Information

About a specific project, contact the DGC office nearest you:

Southeast Regional Office
Division of Governmental
Coordination
P.O. Box AW, Suite 101
431 North Franklin Street
Juneau, AK 99811-0165
Phone: (907) 465-3562

Southcentral Regional Office
Division of Governmental
Coordination
2600 Denali Street, Suite 700
Anchorage, AK 99503-2708
Phone: (907) 274-1581

Northern Regional Office
Division of Governmental
Coordination
Station H
675 Seventh Avenue
Fairbanks, AK 99701-4596
Phone: (907) 456-3084

If you have any questions about the *Consistency Review Process* or the *Alaska Coastal Management Program*, contact:

Division of Governmental
Coordination
P.O. Box AW
431 North Franklin Street
Juneau, AK 99811-0165
Phone: (907) 465-3562

BERING STRAITS COASTAL MANAGEMENT PROGRAM

P.O. Box 10
Unalakleet, Alaska 99684
(907) 624-3062

January 24, 1989

marks
pls reply
D

Honorable Al Adams
Chairman, Community and Regional Affairs Committee
Alaska State Senate
P.O. Box V
Juneau, Alaska 99811

Re: Senate Bill 55

Dear Senator Adams:

The Bering Straits Coastal Management Program (BSCMP) has reviewed Senate Bill 55, "An act relating to the issuance of permits and consistency determinations".

From our perspective, this is another of a continuing series of legislation that is introduced each year to undermine the intent of the Alaska Coastal Management Act (ACMA) to provide for the wise and balanced management of our resources. Another good example of such legislation is HB 212 which was introduced last year. For your reference, I have enclosed a copy of the comments submitted by the Bering Straits Coastal Resource Service Area Board on HB 212 and, by reference, incorporate them herein.

Legislation such as this undermines the intent of the ACMA to provide an ongoing and active process for meaningful local participation in the state's decision making process for resource management. The BSCMP does not support this type legislation and strongly urges you not support SB 55.

The BSCMP also takes issue with the findings of SB 55. We do not believe that the findings accurately reflect the long term positive impacts the consistency review process has had on the state's economy. As we understand it, the need for permits is determined by the type of activity, not the area an activity is located in. Within the coastal zone, the ACMP provides specific time frames for permit reviews to be conducted in. In areas outside the coastal zone, there are no such time frames. Consequently, permit reviews outside the coastal zone consistently take longer. Stated in other terms, the ACMA provides for an expeditious review and issuance of permits.

BERING STRAITS COASTAL MANAGEMENT PROGRAM

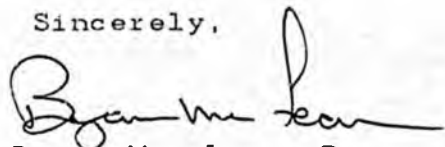
To the best of our knowledge, the ACMA does not require any new permits, nor does it give any agency the authority to require new or additional permits. Rather than creating a proliferation of permit reviews, the ACMA provided for the consolidation and timely processing of permit reviews. A review of the record should show that permits issued in areas outside the jurisdiction of the ACMA take longer to process than those in areas subject to the jurisdiction of the ACMA.

By designating the Department of Natural Resources (DNR) as the lead agency on all consistency reviews, involving federal permits, OCS activities, and for development activities on state lands/waters, SB 55 effectively removes the critical role of the Department of Governmental Coordination (DGC) from the consistency review process and in so doing essentially eliminates meaningful public participation. By designating DNR as the lead agency on consistency reviews, SB 55 is usurping the authority and expertise of the Department of Fish and Game (DF&G) and the Department of Environmental Conservation (DEC).

Instead of providing recognition of the specific expertise and mandates the various resource agencies have, SB 55 explicitly removes the expertise and overrides the mandates of agencies established to provide management of specific resources. We are also concerned that the intent of section 3h of SB is unclear. Is it attempting to make the statewide standards of the ACMP applicable to the whole state? Or is it attempting to overrule the Coastal Policy Council, that has established that under certain circumstance, in certain areas, district policies may be applied to areas that are adjacent to, yet outside of a district's approved boundaries?

In our opinion SB does not add to sound public policy and we strongly urge you not to support this legislation. If SB 55 is scheduled for any public hearings, we would like to be notified, so we can testify. In the meantime, if you have any questions, please don't hesitate to contact our office.

Sincerely,



Bryan Mac Lean, Director

2. This bill proposes to designate lead agencies for processing permits. Of concern regarding this proposed revision is the opportunity it gives to designated lead agencies to enforce their particular bias relating to their area of expertise. Each agency tends to view its special concerns as paramount in assessing a proposal. This concern is especially raised by the proposed amendment in subsection (f), Section 3, which states that, " a lead agency may make a recommendation contrary to that received from another agency". The advantage in using DGC to balance the review agency comments in creating the final consistency determination is its lack of institutional bias concerning environmental, social, and developmental concerns, thus enabling a more even-handed analysis of issues.

3. Subsection (f) Section 3 of the bill proposes that the lead agency only consider information provided by another state agency or coastal resource district in formulating a consistency determination. The law as it is currently written requires DGC to consult a much broader range of interested parties for comments; local, regional, state and federal officials, private groups and individuals, officials of other countries, provinces, and states; and to hold public hearing if DGC deems them to be desirable. Under this system, the concerns of the residents of the North Slope, A.E.W.C., the village councils, the village corporations, etc., can be directly expressed to DGC and considered in the final consistency determination.

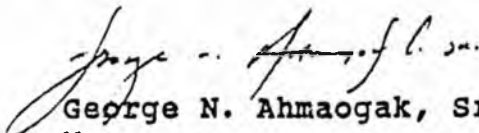
Under the proposed revision, the concerns of the North Slope Borough citizens and groups will only be represented by the comments issued to the lead agency by our office. The time allotted for our office to solicit those comments would be considerably less than that now possible with DGC directly soliciting comments from interested citizens and groups.

As stated earlier, timelines for the issuance of consistency determinations are already set by 6 AAC 50.010. Those timelines are not affected by the consultation process. Therefore, this proposed change does nothing to increase the efficiency of the permit process.

Senate House Bill No. 55 Comments
March 13, 1989
Page Three

In conclusion, we do not believe that the amendments proposed in Senate Bill No. 55 will not do anything to correct the stated findings that the efficiency of the permitting process is encumbered by the actions and numbers of state agencies involved. It has also been our experience that the state agencies in most instances have not been unjustified in their information requirements, nor have they been tardy in the issuance of permits. We do not support the changes proposed in this bill, nor the reasoning behind it.

Sincerely,


George N. Ahmaogak, Sr.
Mayor

cc: Edward Itta, Chief Administrative Officer
Jan Caulfield, Division of Governmental Coordination
Dennis Roper, Industrial Development
Warren Matumeak, NSB Planning Department
Dave Germann, NSB Permitting Division



CITY OF NOME

Martin
TLC
A

P.O. BOX 281 - NOME, ALASKA 99762
TELEPHONE (907) 443-5242

February 15, 1989

The Honorable Al Adams
Chairman, Community & Regional Affairs Committee
Alaska State Senate
P.O. Box V
Juneau, Alaska 99811

Re: S.B. 55 "An Act relating to the issuance of permits and consistency requirements."

Dear Senator Adams:

Your request for Nome's consideration on SB 55 arrived at a most opportune time: The Nome Planning Commission was able to review the drafted legislation at its regular meeting, February 14.

The opinions expressed by the members were: There is a special need to have a lead agency that can and will "make recommendations contrary to a recommendation received from another agency." (P.3, lines 22, 23 & 24.) The existing problem, especially for mining companies, is the extreme delays that can occur because there is no lead agency and permits are held until a consensus or compromise can be fashioned for all departments and agencies.

The second comment was the need for expertise is apparent. The lead agency should be the most knowledgeable and be adequately staffed to give advice, over-ruling interagency disputes and provide a permitting service to the private sector. Too often the private individual must spend time going from agency to agency, a lead agency could route information, act as a clearing house and make a decision. This would benefit both industry and government.

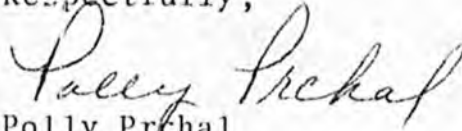
Al Adams
Juneau

-2-

February 15, 1989

No threat is seen to the Coastal Management Review process. The local review through the Alaska Coastal Management Act can still take place; but a lead agency could mitigate conflicting comments from agencies. These are the views of the mining economy of Nome; but, mining is the stable industry and the major source of private employment on the Seward Peninsula. Therefore, the Nome Planning Commission recommends support of S.B. 55.

Respectfully,



Polly Prchal
City Manager

PP/dra