

**SB**

**140**

1-LS0784M  
Kurtz✓  
4/26/99

**CS FOR SENATE BILL NO. 140(RES)**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**TWENTY-FIRST LEGISLATURE - FIRST SESSION**

**BY THE SENATE RESOURCES COMMITTEE**

Offered:  
Referred:

Sponsor(s): **SENATE FINANCE COMMITTEE**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to the powers and duties of the Department of Natural  
2 Resources, modifying that department's power to control and manage land within  
3 the Hatcher Pass Public Use Area, and authorizing municipal selection of that  
4 land, and relating to the Alaska coastal management program; and providing for  
5 an effective date."

6 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

7 \* Section 1. AS 39.50.200(b)(38) is amended to read:

8 (38) Alaska Coastal Policy Council members and their alternates  
9 (AS 44.37.060) [(AS 44.19.155)];

10 \* Sec. 2. AS 41.21.492(b) is amended to read:

11 (b) Nothing in AS 41.21.491 - 41.21.495 affects the responsibilities of  
12 (1) the Department of Fish and Game, the Board of Fisheries, or the  
13 Board of Game under AS 16 and AS 41.99.010;

1 (2) the Department of Environmental Conservation under AS 46.03; or  
 2 (3) state agencies and municipalities under AS 44.37.080(2)  
 3 [AS 44.19.145(a)(11)] and AS 46.40.100.

4 \* Sec. 3. AS 41.21.504(b) is amended to read:

5 (b) Nothing in AS 41.21.500 - 41.21.514 affects the applicability of

6 (1) AS 41.99.010 and AS 16 regarding the responsibilities of the  
 7 Department of Fish and Game or the Board of Fisheries or the Board of Game;

8 (2) AS 46.03 regarding the responsibilities of the Department of  
 9 Environmental Conservation; or

10 (3) AS 44.37.080(2) [AS 44.19.145(a)(11)] and AS 46.40.100 regarding  
 11 the responsibilities of state agencies and municipalities.

12 \* Sec. 4. AS 41.23.130 is amended to read:

13 **Sec. 41.23.130. Hatcher Pass Public Use Area.** The vacant and  
 14 unappropriated state-owned land and water and the state land and water acquired in the  
 15 future that lie within the boundaries described in this section are designated as the  
 16 Hatcher Pass Public Use Area, are reserved for all uses compatible with their primary  
 17 function as public use land, and are assigned to the department for control and  
 18 management:

19 Township 19 North, Range 1 East, Seward Meridian

20 Section 1: NW1/4NW1/4, NW1/4NE1/4NW1/4, W1/2SW1/4NW1/4,  
 21 NE1/4SW1/4NW1/4

22 Section 2: NE1/4, SE1/4NW1/4, SE1/4NE1/4NW1/4,  
 23 SE1/4SW1/4NW1/4, SW1/4 exclusive of S1/2SW1/4SW1/4,  
 24 NW1/4SE1/4, SW1/4SE1/4, NW1/4SE1/4SE1/4,  
 25 W1/2NE1/4SE1/4, NE1/4NE1/4SE1/4

26 [SECTION 10: E1/2E1/2]

27 Section 11: W1/2, NW1/4NE1/4, exclusive of Tract A

28 Section 14: W1/2, exclusive of Tract A

29 [SECTION 15: E1/2E1/2]

30 [SECTION 22: E1/2E1/2]

31 Section 23: W1/2

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Section 26: W1/2SW1/4, SW1/4NW1/4

[SECTION 27: E1/2E1/2]

Township 20 North, Range 1 East, Seward Meridian

Section 25: S1/2S1/2SE1/4

Section 35: SE1/4, SE1/4SE1/4NE1/4

Section 36: NE1/4, SW1/4, E1/2NW1/4, SW1/4NW1/4,  
SE1/4NW1/4NW1/4, NW1/4SE1/4, NW1/4NE1/4SE1/4,  
NW1/4SW1/4SE1/4

Township 20 North, Range 2 East, Seward Meridian

Section 9: E1/2SE1/4, E1/2SW1/4SE1/4, SE1/4SE1/4NE1/4

Section 10: W1/2SW1/4, E1/2NW1/4, SW1/4NW1/4,  
E1/2NW1/4NW1/4, W1/2NE1/4SW1/4, NW1/4NE1/4,  
NW1/4SW1/4NE1/4

Section 15: W1/2W1/2NW1/4

Section 16: SE1/4, E1/2NE1/4, E1/2W1/2NE1/4

Section 21: E1/2SW1/4, E1/2SW1/4SW1/4, SW1/4SW1/4SW1/4,  
SE1/4NW1/4SW1/4, NW1/4SE1/4, W1/2SW1/4SE1/4,  
NE1/4SW1/4SE1/4, W1/2NE1/4, W1/2NE1/4NE1/4,  
NW1/4SE1/4NE1/4, SE1/4NW1/4, E1/2NE1/4NW1/4,  
SW1/4NE1/4NW1/4

Section 28: NW1/4, W1/2NW1/4NE1/4, NW1/4SW1/4,  
NW1/4SW1/4SW1/4, NW1/4NE1/4SW1/4

Section 29: E1/2SE1/4, SE1/4NE1/4, SW1/4SE1/4, S1/2 NW1/4SE1/4,  
NE1/4NW1/4SE1/4, S1/2SW1/4, S1/2NE1/4SW1/4

Section 30: S1/2S1/2S1/2, S1/2SE1/4

Section 31: NW1/4, N1/2NE1/4, N1/2S1/2NE1/4

Section 32: N1/2NW1/4, N1/2SW1/4NW1/4, NW1/4NW1/4NE1/4.

\* Sec. 5. AS 41.23.420(d) is amended to read:

(d) The provisions of AS 41.23.400 - 41.23.510 do not affect the authority of

(1) the Department of Fish and Game, the Board of Fisheries, the  
Board of Game, or the Department of Commerce and Economic Development under

1 AS 08.54, AS 16, or AS 41.99.010;

2 (2) the Department of Environmental Conservation under AS 46.03; or

3 (3) state agencies and municipalities under AS 44.37.080(2)

4 [AS 44.19.145(a)(11)] and AS 46.40.100.

5 \* Sec. 6. AS 44.37 is amended by adding new sections to read:

6 **Sec. 44.37.060. Alaska Coastal Policy Council.** (a) There is created in the  
7 Department of Natural Resources the Alaska Coastal Policy Council. The council  
8 consists of the following:

9 (1) nine public members appointed by the governor from a list  
10 composed of at least three names from each region nominated by the municipalities  
11 of each region; the nominees shall be the mayor or member of the assembly or council  
12 of a municipality; one public member shall be appointed from each of the following  
13 general regions:

14 (A) northwest Alaska, including, generally, the area of the North  
15 Slope Borough and the Northwest Arctic Borough;

16 (B) Bering Strait, including, generally, the area of the Bering  
17 Strait regional educational attendance area;

18 (C) southwest Alaska, including, generally, the area within the  
19 Lower Yukon, Lower Kuskokwim, and Southwest regional educational  
20 attendance areas and the Bristol Bay and Lake and Peninsula Boroughs;

21 (D) Kodiak-Aleutians, including the area of the Kodiak Island  
22 and Aleutians East Boroughs and the Aleutian, Adak, and Pribilof regional  
23 educational attendance areas;

24 (E) Upper Cook Inlet, including the Municipality of Anchorage  
25 and the Matanuska-Susitna Borough;

26 (F) Lower Cook Inlet, including, generally, the area within the  
27 Kenai Peninsula Borough;

28 (G) Prince William Sound, including, generally, the area east  
29 of the Kenai Peninsula Borough to 141 West longitude;

30 (H) northern Southeast Alaska, including the area southeast of  
31 141 West longitude and north of 57 North latitude, including the entirety of the

1 City and Borough of Sitka; and

2 (I) southern Southeast Alaska, including that portion of  
3 southeastern Alaska not contained within the area described in (H) of this  
4 paragraph;

5 (2) each of the following:

6 (A) the director of the office of management and budget;

7 (B) the commissioner of commerce and economic development;

8 (C) the commissioner of community and regional affairs;

9 (D) the commissioner of environmental conservation;

10 (E) the commissioner of fish and game;

11 (F) the commissioner of natural resources; and

12 (G) the commissioner of transportation and public facilities.

13 (b) Each public member appointed by the governor under (a)(1) of this section  
14 serves a term of two years and until a successor is appointed and qualified. A public  
15 member may be reappointed.

16 (c) The council shall designate co-chairs, one of whom shall be selected from  
17 among the public members appointed under (a)(1) of this section and one of whom  
18 shall be selected from among the members designated in (a)(2) of this section.

19 (d) Each member of the council shall select one person to serve as a  
20 permanent alternate at meetings of the council. If a member of the council is unable  
21 to attend, the member shall advise the alternate, who may attend and act in the place  
22 of the member. The alternate for a public member appointed under (a)(1) of this  
23 section shall, at the time of the alternate's designation and throughout the period of  
24 service as a permanent alternate, be the mayor or member of the assembly or council  
25 of a municipality within the region from which the permanent member is appointed.  
26 The alternate for the director of the office of management and budget, serving under  
27 (a)(2)(A) of this section, shall be the director's designee within that office. The  
28 alternate for a designated member serving under (a)(2)(B) - (G) of this section shall  
29 be a deputy commissioner of the department or the director of a division in the  
30 department. The names of alternates shall be filed with the council.

31 (e) Four public members and three designated members of the council

1 constitute a quorum, but one or more of the members designated by the council may  
2 hold hearings. All decisions of the council shall be by a majority vote of the members  
3 present and voting.

4 (f) Members of the council or their alternates are entitled to per diem and  
5 travel expenses authorized by law for members of boards and commissions.

6 (g) If an incumbent public member ceases to meet the qualifications prescribed  
7 in (a)(1) of this section for nomination to the council or if a vacancy exists among the  
8 public members for any other reason except for a vacancy due to the expiration of the  
9 term of a public member, the governor shall, within 30 days of the establishment of  
10 the vacancy by lack of qualification or other reason, make an appointment, to be  
11 immediately effective, for the unexpired portion of the term. An appointment by the  
12 governor made under this subsection to fill an unexpired term of a public member shall  
13 comply with the requirements of (a)(1) of this section; however, the governor may  
14 appoint from qualified persons without soliciting from municipalities nominations of  
15 persons to fill the unexpired portion of the term.

16 **Sec. 44.37.065. Powers of the council.** The council may

17 (1) apply for and accept grants, contributions, and appropriations,  
18 including application for and acceptance of federal funds that may become available  
19 for coastal planning and management;

20 (2) contract for necessary services;

21 (3) consult and cooperate with

22 (A) persons, organizations, and groups, public or private,  
23 interested in, affected by, or concerned with coastal area planning and  
24 management;

25 (B) agents and officials of the coastal resource districts of the  
26 state, and federal and state agencies concerned with or having jurisdiction over  
27 coastal planning and management;

28 (4) take any reasonable action necessary to carry out the provisions of  
29 AS 44.37.060 - 44.37.080.

30 **Sec. 44.37.070. Duties of the council.** In conformity with 16 U.S.C. 1451-  
31 1464 (Coastal Zone Management Act of 1972), as amended, the council shall

1 (1) through the public hearing process and the recording of the minutes  
2 of the hearings, develop guidelines and standards for the preparation of, and approve,  
3 in accordance with AS 46.40, the Alaska coastal management program;

4 (2) establish continuing coordination among state agencies to facilitate  
5 the development and implementation of the Alaska coastal management program; in  
6 carrying out its duties under this paragraph, the council shall initiate an interagency  
7 program of comprehensive coastal resource planning for each geographic region  
8 described in AS 44.37.060(a)(1);

9 (3) assure continued provision of data and information to coastal  
10 resource districts to carry out their planning and management functions under the  
11 program.

12 **Sec. 44.37.075. Council staff.** The council shall use the staff of the office of  
13 coastal management within the Department of Natural Resources in discharging its  
14 powers and duties. The coordinator of the office of coastal management, under the  
15 direction of the council co-chair who is selected from among the members designated  
16 in AS 44.37.060(a)(2), may contract with or employ personnel or consultants the  
17 coordinator considers necessary to carry out the powers and duties of the council.

18 **Sec. 44.37.080. Comprehensive plan and consistency determinations.** The  
19 Department of Natural Resources shall

20 (1) prepare and maintain a state comprehensive development plan; and

21 (2) render, on behalf of the state, all federal consistency determinations  
22 and certifications authorized by 16 U.S.C. 1456 (sec. 307, Coastal Zone Management  
23 Act of 1972), and each conclusive state consistency determination when a project  
24 requires a permit, lease, or authorization from two or more state resource agencies.

25 **Sec. 44.37.085. Planning assistance for development and maintenance of**  
26 **district coastal management programs.** The Department of Natural Resources shall  
27 conduct a program of research, training, and technical assistance to coastal resource  
28 districts necessary for the development and implementation of district coastal  
29 management programs under AS 46.40. The technical assistance must include the  
30 direct granting to the coastal resource districts of a portion of any funds received by  
31 the state from the federal coastal zone management program, in amounts to be

1 individually determined for each coastal resource district by the commissioner of  
2 natural resources. State agencies shall assist the department in carrying out the  
3 purposes of this section.

4 \* Sec. 7. AS 44.62.800(1) is amended to read:

5 (1) "agency" means a department, an institution, or a division or other  
6 administrative unit of the executive branch of state government authorized or required  
7 by law to make regulations, except that "agency" does not include

8 (A) a board; a commission; a council, except the Alaska Coastal  
9 Policy Council established in AS 44.37.060 [AS 44.19.155]; an authority; or  
10 a public corporation of the executive branch of state government authorized or  
11 required by law to make regulations; or

12 (B) the Department of Corrections;

13 \* Sec. 8. AS 44.62.800(2) is amended to read:

14 (2) "agency head" means

15 (A) the commissioner or other head of an agency who has the  
16 authority to adopt regulations for the agency; or

17 (B) for the Alaska Coastal Policy Council established in  
18 AS 44.37.060 [AS 44.19.155], the co-chair of the council designated under  
19 AS 44.37.060(a) [AS 44.19.155(c)] from the members listed in  
20 AS 44.37.060(a)(2) [AS 44.19.155(a)(2)];

21 \* Sec. 9. AS 46.40.010(a) is amended to read:

22 (a) The Alaska Coastal Policy Council established in AS 44.37.060  
23 [AS 44.19.155] shall approve, in accordance with this chapter, the Alaska coastal  
24 management program.

25 \* Sec. 10. AS 46.40.094(c)(1) is amended to read:

26 (1) "agency responsible for the consistency determination" means

27 (A) the Department of Natural Resources [OFFICE OF  
28 MANAGEMENT AND BUDGET], for a consistency determination required  
29 to be made under AS 44.37.080(2) [AS 44.19.145(a)(11)]; and

30 (B) the commissioner of the resource agency that coordinates  
31 a consistency review for a proposed use or activity, or for a proposed phase of

1 a use or activity, when required by this chapter for which a permit, lease, or  
2 authorization is required to be approved or issued only by that resource agency;

3 \* Sec. 11. AS 46.40.096(b) is amended to read:

4 (b) If a consistency review is not subject to AS 44.37.080(2)  
5 [AS 44.19.145(a)(11)] because the project for which a consistency review is made  
6 requires a permit, lease, or authorization from only one state agency, that state agency  
7 shall coordinate the consistency review of the project. The state agency shall  
8 coordinate the consistency review according to the requirements of the regulations  
9 adopted by the council under this section.

10 \* Sec. 12. AS 46.40.096(f) is amended to read:

11 (f) For a consistency review subject to AS 44.37.080(2) [AS 44.19.145(a)(11)],  
12 the council may, by regulation, limit consideration of a petition under (e) of this  
13 section seeking review of a proposed consistency determination to the extent necessary  
14 to meet the deadlines set by federal law for timely submission of a federal consistency  
15 determination as allowed by 16 U.S.C. 1456.

16 \* Sec. 13. AS 46.40.096(g)(2) is amended to read:

17 (2) "reviewing entity" means the

18 (A) Department of Natural Resources [OFFICE], for a  
19 consistency review subject to AS 44.37.080(2) [AS 44.19.145(a)(11)];

20 (B) state agency identified in (b) of this section, for a  
21 consistency review not subject to AS 44.37.080(2) [AS 44.19.145(a)(11)].

22 \* Sec. 14. AS 46.40.100(b) is amended to read:

23 (b) A party that is authorized under AS 46.40.096(e)(1) or (g) of this section  
24 may file a petition showing that a district coastal management program is not being  
25 implemented, enforced, or complied with. On receipt of a petition, the council, after  
26 giving public notice in the manner required by (f) of this section, shall convene a  
27 hearing to consider the matter. A hearing called under this subsection shall be held  
28 in accordance with regulations adopted by the council. After hearing,

29 (1) if the petition was filed under AS 46.40.096(e) and the council finds  
30 that

31 (A) the Department of Natural Resources [OFFICE] or the

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state agency responsible for coordinating the consistency review has not fairly considered the petitioner's comments in the development of a proposed consistency determination, the council shall remand the proposed consistency determination to the Department of Natural Resources [OFFICE], or to the state agency responsible for coordinating the consistency review, for preparation of a revised proposed consistency determination that gives fair consideration to the petitioner's comments;

(B) a remand of the consistency determination is not required under (A) of this paragraph, the council shall dismiss the petition;

(2) if the petition was not filed under AS 46.40.096(e), the council may order that the coastal resource district or a state agency take any action the council considers necessary to implement, enforce, or comply with the district coastal management program.

\* Sec. 15. AS 46.40.120(b) is amended to read:

(b) The commissioner of natural resources [COMMUNITY AND REGIONAL AFFAIRS] may, after public hearings held in the area affected, consolidate two or more regional educational attendance areas as a single coastal resource service area

(1) if a substantial portion of the coastal area contains land and water area owned by the federal government over which it exercises exclusive jurisdiction or land held in trust by the federal government for Alaska Natives over which the state would not exercise control as to use; or

(2) if, after giving due consideration to the standards applicable to incorporation of borough governments and the likelihood that a borough will be incorporated within the area, the commissioner determines that the functions to be performed under this chapter could be undertaken more efficiently through the combination of two or more regional educational attendance areas as a single coastal resource service area.

\* Sec. 16. AS 46.40.120(d) is amended to read:

(d) For purposes of coastal zone management only, the commissioner of natural resources [COMMUNITY AND REGIONAL AFFAIRS] may, after public

1 hearings held in the regional educational attendance area affected, divide an existing  
2 regional educational attendance area into no more than three coastal resource service  
3 areas according to geographic, cultural, economic, environmental, or other features  
4 relevant to coastal management planning. However,

5 (1) each coastal resource service area formed by dividing an existing  
6 regional educational attendance area must contain at least one first class city or home  
7 rule city;

8 (2) a city within a coastal resource service area formed by dividing an  
9 existing regional educational attendance area may not elect to exclude itself from the  
10 coastal resource service area; and

11 (3) a coastal resource service area formed before June 1, 1980, may not  
12 be divided for coastal management planning purposes.

13 \* Sec. 17. AS 46.40.140(c) is amended to read:

14 (c) The commissioner of natural resources [COMMUNITY AND  
15 REGIONAL AFFAIRS], after consultation with residents of a coastal resource service  
16 area, may divide a service area into sections only for the purpose of nominating and  
17 electing board members. Division of a service area into sections for the purpose of  
18 nomination and election shall be in accordance with the provisions of AS 14.08.051(a).  
19 Division may be proposed in the petition submitted under AS 46.40.130(a)(1), in the  
20 resolution submitted under AS 46.40.130(a)(2), at the direction of the council under  
21 AS 46.40.130(a)(3), or may be proposed at any time by the members of the coastal  
22 resource service area board. If proposed by the board, the division of the service area  
23 into sections subject to approval of a majority of the qualified voters voting on the  
24 question in the coastal resource service area at the next regular election or at a special  
25 election called for that purpose and, if approved, takes effect at the next regular  
26 election of members of the coastal resource service area board.

27 \* Sec. 18. AS 46.40.170(a) is amended to read:

28 (a) If residents of a coastal resource service area reject organization of the  
29 service area at an election called for the purpose and the council finds, after public  
30 hearing, that major economic development activity has occurred or will occur within  
31 the service area, the council may direct the department [DEPARTMENT OF

1 COMMUNITY AND REGIONAL AFFAIRS] to prepare and recommend for  
2 consideration by the council and for submission to the legislature a district coastal  
3 management program for the service area.

4 \* Sec. 19. AS 46.40.170(b) is amended to read:

5 (b) At the request of the council, the department [DEPARTMENT OF  
6 COMMUNITY AND REGIONAL AFFAIRS] shall complete the district coastal  
7 management program in accordance with this chapter and the guidelines and standards  
8 adopted by the council for a coastal resource service area that [WHICH] has been  
9 organized but [WHICH] has failed to make substantial progress in the preparation of  
10 an approvable district coastal management program within 18 months of certification  
11 of the results of an organization election or [WHICH] has not submitted for approval  
12 to the council a program within 30 months of certification of the results of its  
13 organization election. Preparation of the program shall be conducted in consultation  
14 with the coastal resource service area and shall, to the maximum extent consistent with  
15 this chapter, reflect the expressed concerns of the residents of the service area.

16 \* Sec. 20. AS 46.40.180(a) is amended to read:

17 (a) Before adoption by a coastal resource service area board, or by the  
18 department [DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS] under  
19 AS 46.40.170, a district coastal management program shall be submitted for review to  
20 each city or village within the coastal resource service area. The council of a city or  
21 traditional village council shall consider the program submitted for review. Within 60  
22 days of submission, the council of a city or traditional village council shall either  
23 approve the program or enter objections to all or any portion of the program.

24 \* Sec. 21. AS 46.40.180(d) is amended to read:

25 (d) For purposes of this section, "village" means an unincorporated community  
26 where at least 25 persons reside as a social unit [AS DETERMINED BY THE  
27 DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS].

28 \* Sec. 22. AS 46.40.190(a) is amended to read:

29 (a) A city within the coastal area that [WHICH] is not part of a coastal  
30 resource service area shall be included for purposes of this chapter within an adjacent  
31 coastal resource service area unless its governing body, by resolution adopted by a

1 majority of its membership, chooses to exclude the city from an adjacent coastal  
2 resource service area and a copy of the resolution is filed with the commissioner of  
3 natural resources [COMMUNITY AND REGIONAL AFFAIRS].

4 \* **Sec. 23.** AS 46.40.210(5) is amended to read:

5 (5) "department" means the Department of Natural Resources  
6 [COMMUNITY AND REGIONAL AFFAIRS];

7 \* **Sec. 24.** AS 44.19.145(a)(2), 44.19.145(a)(11), 44.19.155, 44.19.160, 44.19.161,  
8 44.19.162; AS 44.47.095; and AS 46.40.210(6) are repealed.

9 \* **Sec. 25.** AVAILABILITY OF HATCHER PASS PUBLIC USE AREA LAND FOR  
10 GENERAL GRANT LAND ENTITLEMENT OF THE MATANUSKA-SUSITNA  
11 BOROUGH. Notwithstanding the reservation of land, designation of the reserved land as the  
12 Hatcher Pass Public Use Area, and assignment of control and management of the land to the  
13 Department of Natural Resources made by AS 41.23.130, and notwithstanding selection  
14 procedures applicable to municipal general grant land entitlements under AS 29.65.010 -  
15 29.65.140, the following land within Township 19 North, Range 1 East, Seward Meridian, that  
16 is part of the Hatcher Pass Public Use Area is available for selection and conveyance to the  
17 Matanuska-Susitna Borough to fulfill the borough's general grant land entitlement under  
18 AS 29.65.010 - 29.65.140:

19 Section 2: S1/2SW1/4SW1/4

20 Section 10: E1/2E1/2

21 Section 11: Tract A

22 Section 14: Tract A

23 Section 15: E1/2E1/2

24 Section 22: E1/2E1/2

25 Section 27: E1/2E1/2.

26 \* **Sec. 26.** TRANSITIONAL PROVISIONS. (a) This Act does not terminate the existing  
27 Alaska Coastal Policy Council or affect the terms of its current members; this Act moves the  
28 existing Alaska Coastal Policy Council from the Office of the Governor to the Department of  
29 Natural Resources.

30 (b) Litigation, hearings, investigations, and other proceedings pending under a law  
31 amended or repealed by this Act, or in connection with functions transferred by this Act,

1 continue in effect and may be continued and completed notwithstanding a transfer or  
2 amendment or repeal provided for in this Act. Certificates, orders, guidelines, approvals, and  
3 regulations issued or adopted under authority of a law amended or repealed by this Act remain  
4 in effect for the term issued, or until revoked, vacated, or otherwise modified under the  
5 provisions of this Act. Contracts, rights, liabilities, and obligations created by or under a law  
6 amended or repealed by this Act, and in effect on the effective date of this bill section, remain  
7 in effect notwithstanding this Act's taking effect. Records, equipment, appropriations, and  
8 other property of agencies of the state whose functions are transferred under this Act shall be  
9 transferred to implement the provisions of this Act.

10 \* Sec. 27. Sections 1 - 3 and 5 - 28 of this Act take effect June 15, 1999.

11 \* Sec. 28. Section 4 of this Act takes effect on the date of conveyance by the Department  
12 of Natural Resources to the Matanuska-Susitna Borough of all land described in sec. 25 of this  
13 Act. The commissioner of natural resources shall promptly notify the revisor of statutes of  
14 the conveyance made by the Department of Natural Resources to the Matanuska-Susitna  
15 Borough of land described in sec. 25 of this Act.

# FISCAL NOTE

Revision Date: \_\_\_\_\_ Dept. Affected: Community & Regional Affairs  
 Title: An Act relating to the powers and duties BRU: \_\_\_\_\_  
of the Department of Natural Resources ... Component: \_\_\_\_\_  
 Sponsor: Senate Finance Committee  
 Requestor: Senate Resource Committee **COMPONENT SERIAL NO.** \_\_\_\_\_

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 00	FY 01	FY 02	FY 03	FY 04	FY 05
PERSONAL SERVICES	(189.2)	(189.2)	(189.2)	(189.2)	(189.2)	(189.2)
TRAVEL	(2.5)					
CONTRACTUAL	(14.0)					
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>(205.7)</b>	<b>(189.2)</b>	<b>(189.2)</b>	<b>(189.2)</b>	<b>(189.2)</b>	<b>(189.2)</b>

<b>CAPITAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
----------------	------------	------------	------------	------------	------------	------------

<b>REVENUE FUND SOURCE:</b>						
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FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current (FY99) impact \$ none

**ANALYSIS:** (Attach a separate page if necessary)  
 This legislation would transfer DCRA ACMP activities to DNR. Current DCRA ACMP funding includes \$189.2 to partially fund five positions (2.2 FTE positions). These, DCRA staff manage and administer the ACMP grant program that provides funds to 30 coastal districts; provides technical assistance to districts involved in ACMP planning; provides training to new coastal district staff, city councils, borough assemblies, and planning commissions; and, assists coastal districts with the hiring of new staff. Staff provides assistance and support to districts that receive funding for special projects such as community and regional mapping. (continued on separate page)

Prepared by: Pat Poland, Director Phone: 269-4580  
 Division: Municipal and Regional Assistance Division Date: 4/26/99  
 Approved by Commissioner: *Mike Miller* Date: 4/26/99  
 Agency: Community & Regional Affairs

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**Fiscal Note Analysis Continued**

DCRA also facilitates coastal district formation and provides assistance if a district decides to form a borough. DCRA staff also facilitates the election of CRSA boards and the resectioning of CRSAs for elections purposes. Staff participate in other DGC grant programs that provide funds to coastal.

DCRA also currently receives ACMP funds from L 3C for special projects. During FY 00 DCRA is to receive \$2,500 in travel funds and \$14,000 to work on ACMP Guidebooks. If the program goes to DNR, these funds would not come to DCRA. The total reduction in FY 00 ACMP funds is estimated to be \$205,700.

# SENATE COMMITTEE REPORT

## First Committee of Referral

DATE: 4/12/99

FURTHER: Finance

Date of 5-Day Notice: 4/15/99  
(in accordance with Uniform Rule 23)

DATE TURNED  
IN TO OFFICE: 4/26/99

Resources Committee considered

SENATE BILL NO. 140

"An Act relating to the powers and duties of the Department of Natural Resources and to the Alaska coastal management program."

and recommends:

- be replaced with \_\_\_\_\_ CS SB 140 ( RES )
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ ( \_\_\_\_\_ )
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to the \_\_\_\_\_ Committee

- Senate Bill:**
- same title
  - new title
- House Bill:**
- same title
  - technical title
  - new: SCR# \_\_\_\_\_

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
		<i>Sam Farrell</i>	✓		
		<i>[Signature]</i>	✓		
		<i>Lynne Beck</i>	✓		
CHAIR: <i>Rick Halford</i>					
		CHAIR:			

**NEW FISCAL NOTE(S):**

Department	Date	Zero	Fiscal
DNR	4/19		1,349
GOV / DGC	4/16		(1,206.3)
ADF + G	4/26		ZND.

APPLIES TO CS

**PREVIOUS FISCAL NOTE(S):\***

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

# FISCAL NOTE

STATE OF ALASKA  
1999 LEGISLATIVE SESSION

BILL NO. SB 140

Revision Date: \_\_\_\_\_ Dept Affected: Natural Resources  
 Title: COASTAL ZONE MANAGEMENT TO DNR BRU: Land Development  
 Component: Land Development  
 Sponsor: Senate Finance Committee  
 Requestor: (S)RES Component Serial No. 431

Expenditures/Revenues (Inflation not included unless otherwise noted below)

(Thousands of Dollars)

OPERATING EXPENDITURES	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005
PERSONAL SERVICES	1,153.8	1,153.8	1,153.8	1,153.8	1,153.8	1,153.8
TRAVEL	35.0	35.0	35.0	35.0	35.0	35.0
CONTRACTUAL	157.6	157.6	157.6	157.6	157.6	157.6
SUPPLIES	2.6	2.6	2.6	2.6	2.6	2.6
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>1,349.0</b>	<b>1,349.0</b>	<b>1,349.0</b>	<b>1,349.0</b>	<b>1,349.0</b>	<b>1,349.0</b>

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES (fund code)	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match	1,266.8	1,266.8	1,266.8	1,266.8	1,266.8	1,266.8
1004 GF	82.2	82.2	82.2	82.2	82.2	82.2
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>1,349.0</b>	<b>1,349.0</b>	<b>1,349.0</b>	<b>1,349.0</b>	<b>1,349.0</b>	<b>1,349.0</b>

Estimate of any current year (FY99) cost: \$                     none                    

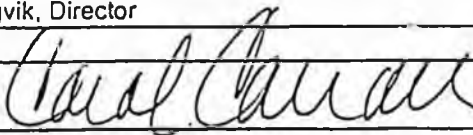
POSITIONS

FULL-TIME	26	26	26	26	26	26
PART-TIME	0	0	0	0	0	0
TEMPORARY	2	2	2	2	2	2

ANALYSIS:

(Attach a separate page if necessary)

This fiscal note reflects only the state match dollars associated with the transfer of the ACMP from the Division of Governmental Coordination (DGC) to DNR, and GF needed to match federal funds for activities transferred from DCRA to DNR. Federal funds are currently granted to DGC by the National Oceanographic and Atmospheric Administration, Office of Coastal Resource Management. DNR assumes that these federal funds, totaling \$2,812.3, would be provided to DNR under an RSA agreement. The total number of positions reflects 24 full-time and 2 temporary DGC positions currently in the Governor's FY00 budget and 2 positions to carry out activities transferred from DCRA to provide planning assistance and grant administration for AS 44.37.085. This fiscal note does not reflect the cost of physically moving DGC staff to DNR offices. DNR estimates such a move would cost approximately \$15.0. Future years' funding would remain the same.

Prepared by: Jane Angvik, Director Phone: 907-269-8503  
 Division: Land Date: 18-Apr-99  
 Approved by Commissioner:  Date: 4/19/99  
 Agency: Natural Resources

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# FISCAL NOTE

**STATE OF ALASKA  
1999 LEGISLATIVE SESSION**

**BILL NO. SB 140**

Revision Date/Time (Note if correction) _____	Dept. Affected	Office of the Governor
Title <u>An Act relating to the powers &amp; duties of the</u>	BRU	<u>Governmental Coordination</u>
Dept of Natural Resources & to the Alaska Coastal Management	Component	<u>Governmental Coordination</u>
Sponsor <u>Senate Finance</u>		
Requester _____	Component Serial No.	<u>18</u>

**Expenditures/Revenues (Thousands of Dollars)**

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
Personal Services	(1,071.6)	0.0	0.0	0.0	0.0	0.0
Travel	(35.0)	0.0	0.0	0.0	0.0	0.0
Contractual	(157.6)	0.0	0.0	0.0	0.0	0.0
Supplies	(2.6)	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL OPERATING</b>	<b>(1,266.8)</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE (Thousands of Dollars)**

FUND SOURCE	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	(1,266.8)	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>(1,266.8)</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY99) cost: \_\_\_\_\_

**POSITIONS**

Full-time	-24					
Part-time						
Temporary	-2					

**ANALYSIS:** *(Attach a separate page if necessary)*

This fiscal note only reflects state match dollars associated with the transfer of the ACMP to DNR. Federal funds would be granted to the Governor's Office until such time that a program amendment for the transfer of the program to DNR was approved by NOAA OCRM. It is assumed that these funds \$2,812.3 could be provided to DNR thru a RSA. It is also possible that NOAA OCRM would withhold federal funding until they have the opportunity to review & approve the program amendment. General Fund remaining with DGC is associated with 1 FTE & related support that currently carries out ANILCA coordination for the Office of the Governor. Funding level represents Governor's request. Any reduction to the funding level per the legislative process is not reflected in this fiscal note.

Prepared by <u>Gabrielle LaRoche Acting Director</u>	Phone <u>465-3562</u>
Division <u>Governmental Coordination</u>	Date/Time <u>4/16/99 4:24 PM</u>
Approved by <u>Jim Ayers, Chief of Staff</u>	Date _____
Agency <u>Office of the Governor</u>	

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# FISCAL NOTE

STATE OF ALASKA  
1999 LEGISLATIVE SESSION

BILL NO. SB 140

Revision Date/Time (Note if correction) \_\_\_\_\_ Dept. Affected Dept. Fish & Game  
 Title An Act relating to the powers and duties of BRU Habitat and Restoration  
the DNR and to the Alaska coastal management program Component Habitat  
 Sponsor Senate Finance Committee  
 Requester Senate Resources Component Serial No. 486

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
Personal Services	***					
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>***</b>	<b>***</b>	<b>***</b>	<b>***</b>	<b>***</b>	<b>***</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>***</b>	<b>***</b>	<b>***</b>	<b>***</b>	<b>***</b>	<b>***</b>

Estimate of any current year (FY99) cost: \_\_\_\_\_

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

\*\*\* Passage of SB 140 would result in a substantial, but indeterminate, additional cost to DF&G. There would be an immediate cost associated with participating in the review and modification of related regulations and procedures. More importantly, there would be a continuing additional cost associated with providing technical support, participating in meetings, and preparing briefing materials for the increase in director and commissioner-level elevations that would result from shifting DGC responsibilities to DNR.

Prepared by Ken Taylor *Ken Taylor* Phone 465-4105  
 Division Habitat and Restoration Division Date/Time 04/26/99  
 Approved by Commissioner Frank Rue *Frank Rue* Date 4-26-99  
 Agency Department of Fish and Game

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**SB 140: Impacts to the Coastal Program**  
Prepared by the Division of Governmental Coordination  
April 19, 1999



The Knowles Administration and the Coastal Policy Council oppose SB 140.

- The ACMP is a well-established program that has been located in the Office of the Governor since 1979. DGC's implementation has been evaluated several times in recent years. A 1994 Division of Legislative Audit report found "DGC appears to be the most appropriate agency for administering the ACMP." Further, the report states that "DGC's placement in the Office of the Governor provides a more objective centralized oversight and coordination function for all state agencies." In addition, DGC received an excellent evaluation from the federal Office of Ocean and Coastal Resource Management as part of their triennial section 312 evaluation under the Coastal Zone Management Act.
- The proposed bill does not result in any saving to State general fund dollars, and may result in increased costs associated with start-up of the program by new staff in a different agency. Short-term inefficiencies are also anticipated as a result of the change in lead agency. A program amendment would need to be prepared and submitted to NOAA OCRM. Delays and/or decreases in federal funds could impact not only State agency functions, but funding that is provided to the coastal districts and communities of the state.
- The ACMP is a networked program that relies on existing authorities. While all of the resource agencies conduct permitting activities and some have planning functions, each has unique mandates and none match the mandates of the ACMP.
- The sponsor statement suggests that the ACMP can be moved to DNR because both agencies have similar planning and permitting functions. As described above, not only are the agency mandates different, but DGC has other responsibilities with which DNR staff are not familiar, including developing state positions on coastal resource issues and providing conflict resolution as needed during planning and permitting. In addition, although DNR manages activities on state land, the scope of the ACMP is broader in that it includes activities on private and federal lands.

# STATE OF ALASKA

## OFFICE OF THE GOVERNOR

TONY KNOWLES, GOVERNOR

OFFICE OF MANAGEMENT AND BUDGET  
DIVISION OF GOVERNMENTAL COORDINATION

SOUTHCENTRAL REGIONAL OFFICE  
3601 "C" STREET, SUITE 370  
ANCHORAGE, ALASKA 99503-5930  
PH: (907) 269-7470/FAX: (907) 561-6134

CENTRAL OFFICE  
P.O. BOX 110030  
JUNEAU, ALASKA 99811-0030  
PH: (907) 465-3562/FAX: (907) 465-3075

PIPELINE COORDINATOR'S OFFICE  
411 WEST 4TH AVENUE, SUITE 2C  
ANCHORAGE, ALASKA 99501-2343  
PH: (907) 271-4317/FAX: (907) 272-0690

April 19, 1999

The Honorable Randy Phillips  
State Capitol  
Juneau, AK 99801

Re: SB 140, "An Act relating to the powers and duties of the Department of Natural Resources and to the Alaska coastal management program."

Dear Senator Phillips:

I am writing to respond to the concepts discussed in the draft mission analysis and sponsor statement we received from your office regarding SB 140. There are a number of issues that require further explanation. These issues are summarized in bold text, below.

**The draft mission analysis fails to recognize the unique responsibilities of DGC.**

The Division of Governmental Coordination (DGC) FY2000 Mission is to provide access to uniquely qualified individuals, information, technical expertise and federal funding to resolve resource development and permitting issues. In addition to the permit coordination noted in your sponsor statement, DGC funds and facilitates coastal district program development and develops state positions on coastal resource issues, resolving conflicts among a variety of stakeholders in many different forums.

**Coastal district maps are distinct from DNR area plan maps.**

Coastal district maps are developed by a coastal district (a municipality or coastal resource service area) and submitted to DGC for Coastal Policy Council and federal approval as part of a district program. These maps depict, at a minimum, the district boundary and the coastal zone boundary. These maps are companion to district programs, which contain enforceable policies designed to balance conflicting uses and activities in the coastal zone. The district policies are applied to avoid, minimize or

mitigate impacts to coastal resources within the district's coastal zone. Some district maps may also designate subsistence zones or recreation areas in which more specific policies apply. They do not determine the locations in which various activities are permitted.

**SB 140 does not result in any efficiencies by combining the Division of Governmental Coordination (DGC) with the Division of Land, Department of Natural Resources (DNR).**

When we responded to your initial request for information, we stated that "efficiencies may be gained if the director and administrative staff were fully or partially absorbed by an existing structure." However, after further consultation with DNR, we must conclude that these efficiencies cannot be realized. Due to the federal grant administration and coordination functions of DGC and the lack of administrative staff within DNR, we anticipate the need to retain administrative staff to carry out the functions of the ACMP.

Indeed, efficiency in the delivery of program services is anticipated to decrease in the short term, with little or no gain in the long term. There will be inefficiencies associated with the start-up of the ACMP with new staff who must carry out new assignments within a new agency structure. DNR/Div. of Lands experience is primarily in the management of state-owned lands. DNR is not experienced in resolving conflicts where private and federal land interests are involved, nor does the agency have experience with grant administration.

Short term inefficiencies are anticipated as a result of the change in lead agency. A program amendment would need to be prepared and submitted to NOAA/OCRM. Delays and/or decreases in federal funds could impact not only state agency functions, but funding that is provided to local communities through the ACMP.

**DGC and DNR tasks are distinct.**

DNR's central mission is to plan for and manage state-owned lands. In contrast, DGC administers a program that manages coastal uses and activities on private and federal land, as well as state land. DGC brings all the players together to ensure that certain activities on federal, state and private lands are consistent with the statewide standards and the district enforceable policies of the Alaska Coastal Management Program.

Because Alaska does not have a coastal permit, consistency is implemented through existing agencies authorities. In order to avoid duplication, DNR, DFG and DEC (as well as affected coastal districts) review and comment on proposed projects with respect to the standards and enforceable policies within their area of expertise. DGC disseminates information, establishes the review schedule, receives comments, renders the state position, and mediates conflict among the parties with standing. This interagency coordination is dissimilar from the tasks currently carried out by DNR.

**A networked coastal program must interact with numerous staff within the permitting agencies and coastal districts.**

Your statement indicates the number of staff with whom the DGC interacts. This level of interaction is necessary to avoid duplication in the coastal program. As explained above, the ACMP is a networked program that relies upon existing authorities. During consistency reviews and coastal program development, DGC contacts a variety of agency personnel as are best suited to the project or coastal program under review.

The agency positions indicated in your statement are not solely dedicated to ACMP tasks. Instead, these are DGC's contacts throughout state government, who participate in coastal management during their routine permitting and planning assignments. In exchange, their permitting tasks are counted as state match for the federal dollars received. Additional tasks are federally funded through a reimbursable services agreement between DGC and DNR. This networked structure within the ACMP achieves the most federal dollar "bang" for state dollar "buck." Relocating the program within DNR would not result in fewer staff positions.

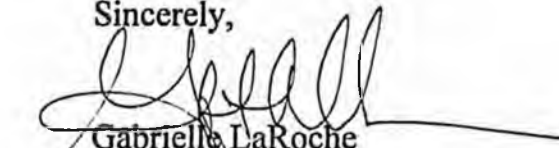
**DGC does not cost \$2,812,00 in federal funds.**

In FY99, DGC received \$2,701,600 in federal funds. Of this total, state agencies participating in the program received \$932,700, coastal districts received \$1,161,400, and the Coastal Policy Council and DGC received \$607,500. Additionally, state general funds allocated to DGC are used to offset match requirement to coastal districts, another example of the ACMP structure making the most of federal dollars.

### **Summary**

The Division of Governmental Coordination appreciates the opportunity to work with your office on issues of importance to the Alaska Coastal Management Program. If you have any questions about this response, please do not hesitate to call.

Sincerely,



Gabrielle LaRoche  
Acting Director

cc: Coastal Districts  
Coastal Legislators

# FISCAL NOTE

**STATE OF ALASKA**  
**1999 LEGISLATIVE SESSION**

**BILL NO. SB 140**

Revision Date/Time (Note if correction) \_\_\_\_\_ Dept. Affected Office of the Governor  
 Title An Act relating to the powers & duties of the BRU Governmental Coordination  
 Dept of Natural Resources & to the Alaska Coastal Management Component Governmental Coordination  
 Sponsor Senate Finance  
 Requester \_\_\_\_\_ Component Serial No. 18

**Expenditures/Revenues (Thousands of Dollars)**

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
Personal Services	(1,071.6)	0.0	0.0	0.0	0.0	0.0
Travel	(35.0)	0.0	0.0	0.0	0.0	0.0
Contractual	(157.6)	0.0	0.0	0.0	0.0	0.0
Supplies	(2.6)	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL OPERATING</b>	<b>(1,266.8)</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE (Thousands of Dollars)**

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	(1,266.8)	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>(1,266.8)</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY99) cost: \_\_\_\_\_

**POSITIONS**

Full-time	-24					
Part-time						
Temporary	-2					

**ANALYSIS:** (Attach a separate page if necessary)

This fiscal note only reflects state match dollars associated with the transfer of the ACMP to DNR. Federal funds would be granted to the Governor's Office until such time that a program amendment for the transfer of the program to DNR was approved by NOAA OCRM. It is assumed that these funds \$2,812.3 could be provided to DNR thru a RSA. It is also possible that NOAA OCRM would withhold federal funding until they have the opportunity to review & approve the program amendment. General Fund remaining with DGC is associated with 1 FTE & related support that currently carries out ANILCA coordination for the Office of the Governor. Funding level represents Governor's request. Any reduction to the funding level per the legislative process is not reflected in this fiscal note.

Prepared by Gabrielle LaRoche Acting Director Phone 465-3562  
 Division Governmental Coordination Date/Time 4/16/99 4:24 PM  
 Approved by Jim Ayers, Chief of Staff Date \_\_\_\_\_  
 Agency Office of the Governor

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**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL OCEAN SERVICE  
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT  
Silver Spring, Maryland 20910

APR 19 1999

Honorable Rick Halford, Chair  
Senate Resources Committee  
Alaska State Capitol  
Juneau, AK 99801

Dear Senator Halford:

I am writing to express my concerns regarding SB 140, which changes the lead agency for the Alaska Coastal Management Program (ACMP) from the Division of Governmental Coordination (DGC) to the Department of Natural Resources (DNR). As the Federal agency charged with administering the Federal Coastal Zone Management Act of 1972, as amended, (CZMA) the Office of Ocean and Coastal Resource Management (OCRM) views this move, which requires significant public discussion and review prior to legislative action, as a major change to the Federally approved ACMP. As we were only made aware of the Bill and the hearings late last week, our comments are preliminary in nature. We would also be available to respond to any questions regarding the CZMA and its implementing requirements.

**Adequate public participation:** The CZMA contains specific requirements regarding public involvement in program development, implementation and program changes. It appears that the public has not had adequate time to review the Bill and understand the rationale and consequences of the proposed change. We would urge you to provide adequate time at the scheduled hearings to consider the comments of affected local communities and various interests.

**Federal requirements for lead agency:** The Federal regulations for coastal management program (CMP) development include factors for selecting state CMP lead agencies. In the case where states rely on a "network" of state and local planning and permit programs, state agencies with strong coordination and conflict resolution functions are more often than not the best suited to be the lead agency. The DGC, as its name connotes, is well suited to coordinate the full range of ACMP lead agency activities.

**The objectiveness of ACMP consistency review may suffer:** The success of the state consistency process (6 AAC 50) is due largely to the objective facilitation role of the DGC. External parties could question whether the DNR would be as objective as the DGC and could provide the balance needed as promoter and State permit agency for major oil and gas, mining, forestry resource development. Such a change might adversely affect efficient and effective decision making in these areas. In addition, such an impact on the ACMP's decision making



ability in these areas raises the question as to whether the ACMP would continue to adequately consider the national interest in these areas, which is a requirement for continued Federal approval of the ACMP pursuant to the CZMA.

**Lack of clear justification for the change:** Several recent Federal evaluations of the ACMP, including OCRM's recent section 312 evaluation and the two year comprehensive ACMP Assessment, did not find any need for change in the lead agency. Our review of the draft "Mission Analysis," and "Sponsor Statement" provided with the Bill suggests that a more detailed analysis of the functions of each agency is necessary to form a basis for discussion and decisions of the public policy implications of the change.

**Moving ACMP to DNR may not result in a cost savings:** Based on the limited information provided us, it is unclear whether moving the ACMP to the DNR will result in any cost savings due to dissimilar functions of each agency. For example, the objectives and areas covered by local coastal district planning and management activities required under the coastal program are different than the objectives and areas subject to the Title 38 public lands planning undertaken by the DNR. In addition, we would note that negotiations regarding the State's FY2000 Federal grant indicate that available federal funds are barely adequate to support the major State agency and local coastal district components of the ACMP program. Finally, we should note that Federal funds can not be used to supplant state funds in this matching grant program.

**Effect of agency change on FY 2000 award to the State:** We are currently completing the processing of the Alaska FY2000 award, scheduled to be awarded on July 1, 1999. The CZMA requires that we approve changes to State CZM programs prior to our funding of such changes. Therefore, if there is a change in the designated lead agency for the ACMP, we would need to work out a mechanism to cover the 4-6 month period that would be necessary for OCRM to review this change. Most likely we would condition the cooperative agreement to allow expenditure of a portion of the Federal funds for activities as specified in the application submitted by DGC, and then address the use of the remaining funds upon completion of our amendment review.

Sincerely,



*for* Joseph A. Uravitch, AICP  
Chief, Coastal Programs Division

cc: Office of the Governor  
DGC

# FISCAL NOTE

**STATE OF ALASKA**  
**1999 LEGISLATIVE SESSION**

**BILL NO. SB 140**

Revision Date: \_\_\_\_\_ Dept Affected: Natural Resources  
 Title: COASTAL ZONE MANAGEMENT TO DNR BRU: Land Development  
 Component: Land Development  
 Sponsor: Senate Finance Committee  
 Requestor: (S)RES Component Serial No. 431

Expenditures/Revenues (Inflation not included unless otherwise noted below) (Thousands of Dollars)

OPERATING EXPENDITURES	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005
PERSONAL SERVICES	1,153.8	1,153.8	1,153.8	1,153.8	1,153.8	1,153.8
TRAVEL	35.0	35.0	35.0	35.0	35.0	35.0
CONTRACTUAL	157.6	157.6	157.6	157.6	157.6	157.6
SUPPLIES	2.6	2.6	2.6	2.6	2.6	2.6
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>1,349.0</b>	<b>1,349.0</b>	<b>1,349.0</b>	<b>1,349.0</b>	<b>1,349.0</b>	<b>1,349.0</b>

<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
-----------------------------	------------	------------	------------	------------	------------	------------

<b>CHANGE IN REVENUES (fund code)</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005
1002 Federal Receipts						
1003 GF Match	1,266.8	1,266.8	1,266.8	1,266.8	1,266.8	1,266.8
1004 GF	82.2	82.2	82.2	82.2	82.2	82.2
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>1,349.0</b>	<b>1,349.0</b>	<b>1,349.0</b>	<b>1,349.0</b>	<b>1,349.0</b>	<b>1,349.0</b>

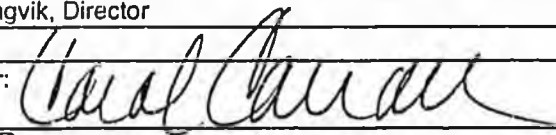
Estimate of any current year (FY99) cost: \$                      none                     

**POSITIONS**

POSITIONS	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005
FULL-TIME	26	26	26	26	26	26
PART-TIME	0	0	0	0	0	0
TEMPORARY	2	2	2	2	2	2

**ANALYSIS:** (Attach a separate page if necessary)

This fiscal note reflects only the state match dollars associated with the transfer of the ACMP from the Division of Governmental Coordination (DGC) to DNR, and GF needed to match federal funds for activities transferred from DCRA to DNR. Federal funds are currently granted to DGC by the National Oceanographic and Atmospheric Administration, Office of Coastal Resource Management. DNR assumes that these federal funds, totaling \$2,812.3, would be provided to DNR under an RSA agreement. The total number of positions reflects 24 full-time and 2 temporary DGC positions currently in the Governor's FY00 budget and 2 positions to carry out activities transferred from DCRA to provide planning assistance and grant administration for AS 44.37.085. This fiscal note does not reflect the cost of physically moving DGC staff to DNR offices. DNR estimates such a move would cost approximately \$15.0. Future years' funding would remain the same.

Prepared by: Jane Angvik, Director Phone: 907-269-8503  
 Division: Land Date: 19-Apr-99  
 Approved by Commissioner:  Date: 4/19/99  
 Agency: Natural Resources

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# FISCAL NOTE

**STATE OF ALASKA  
1999 LEGISLATIVE SESSION**

**BILL NO. SB 140**

Revision Date/Time (Note if correction) \_\_\_\_\_ Dept. Affected Office of the Governor  
 Title An Act relating to the powers & duties of the BRU Governmental Coordination  
 Dept of Natural Resources & to the Alaska Coastal Management Component Governmental Coordination  
 Sponsor Senate Finance  
 Requester \_\_\_\_\_ Component Serial No. 18

**Expenditures/Revenues (Thousands of Dollars)**

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
Personal Services	(1,071.6)	0.0	0.0	0.0	0.0	0.0
Travel	(35.0)	0.0	0.0	0.0	0.0	0.0
Contractual	(157.6)	0.0	0.0	0.0	0.0	0.0
Supplies	(2.6)	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL OPERATING</b>	<b>(1,266.8)</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE (Thousands of Dollars)**

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	(1,266.8)	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>(1,266.8)</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY99) cost: \_\_\_\_\_

**POSITIONS**

Full-time	-24				
Part-time					
Temporary	-2				

**ANALYSIS:** (Attach a separate page if necessary)

This fiscal note only reflects state match dollars associated with the transfer of the ACMP to DNR. Federal funds would be granted to the Governor's Office until such time that a program amendment for the transfer of the program to DNR was approved by NOAA OCRM. It is assumed that these funds \$2,812.3 could be provided to DNR thru a RSA. It is also possible that NOAA OCRM would withhold federal funding until they have the opportunity to review & approve the program amendment. General Fund remaining with DGC is associated with 1 FTE & related support that currently carries out ANILCA coordination for the Office of the Governor. Funding level represents Governor's request. Any reduction to the funding level per the legislative process is not reflected in this fiscal note.

Prepared by Gabrielle LaRoche Acting Director *[Signature]* Phone 465-3562  
 Division Governmental Coordination Date/Time 4/16/99 4:24 PM  
 Approved by Jim Ayers, Chief of Staff *[Signature]* Date \_\_\_\_\_  
 Agency Office of the Governor

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# ALASKA STATE LEGISLATURE

**SENATOR RANDY PHILLIPS**  
**SENATE DISTRICT L**

Session (Jan-May)  
State Capitol, Room 103  
Juneau, Alaska 99801  
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1 (907) 465-4979 Fax  
Toll Free Anchorage Area  
1-800-478-4950  
Interim  
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1 (907) 694-4948 Fax

## Sectional

### SB 140

**Sections 1, 2, 3 and 4.** Technical statute references.

**Section 5.** Moves the Alaska Coastal Policy Council from the Office of Management and Budget to the Department of Natural Resources. There is no policy change.

**Sections 6, 7, 8, 9, 10, 11, and 12.** Technical statute references

**Section 13.** Moves the coastal management petition process to the Department of Natural Resources. No policy change.

**Sections 14, 15, 16, 17, 18, 19, 20, 21 and 22.** Transfers authority for the Coastal Management Program to the Department of Natural Resources from the Department of Community and Regional Affairs. No policy change.

**Section 23.** Repeals code moved to the Department of Natural Resources.

**Section 24.** Provides for a smooth transition of regulations to the Department of Natural Resources.

## BRU/Component: Governmental Coordination

(There is only one component in this BRU. To reduce duplicate information, we did not print a separate BRU section.)

**Manager: Gabrielle LaRoche, Coastal Program Coordinator**

**Tel: (907) 465-3541 Fax: (907) 465-3075 E-mail: Gabrielle\_LaRoche@gov.state.ak.us**

### Component Mission

To provide access to uniquely qualified individuals, information, technical expertise and federal funding to resolve resource development and permitting issues.

### Component Services Provided

- Operate the Alaska Coastal Management Program (ACMP).
- Secure federal funding and technical expertise for coastal communities.
- Provide one-stop permit services.
- Provide conflict resolution.
- Serve as the State's liaison to federal agencies conducting activities under the ANILCA, Outer Continental Shelf, and other federal laws that significantly affect the State.

### Component Goals and Strategies for FY2000

- 1) Streamline, coordinate and expedite permit reviews for development projects.
  - Review projects within 6 AAC 50 review timeframes.
  - Respond to requests for assistance and information.
  - Provide opportunity for local government and general public participation in state project decisions as per 6 AAC 50.
  - Achieve balanced and documented State decisions, which recognize the full range of state interests in a proposed activity.
  - Provide an interagency conflict resolution mechanism, which produces a unified state position transmitted to the applicant and other interested parties.
  - Maintain the project tracking system which enables required comments to be provided and final decisions to be issued in a timely manner.
  - Complete MOUs with federal agencies to clarify consistency review procedures.
  - Provide the state's position on all federal oil and gas decisions.
- 2) Upgrade community-based coastal planning and development programs with Coastal Policy Council (CPC) oversight.
  - Approve approximately four district coastal management program amendments.
  - Provide information and technical assistance to local governments not presently participating in the ACMP.
  - Provide federal funding to coastal districts and to state agencies.
  - Hold two CPC meetings, ten to twelve teleconferences or subcommittee meetings.
  - Host one statewide conference; conduct workshops, as needed, and maintain frequent communication with agencies.
- 3) Provide liaison to federal government for Coastal Management and Alaska National Interest Lands Conservation Act (ANILCA).
  - Coordinate the State's response to proposed activities on federal forest land.
  - Serve as a liaison between state agencies and the Forest Service on matters of interest to the state.
  - Improve communication between the state and the Forest Service through a clearer review process under the state's coastal management program.
  - Improve Forest Service response to matters of state concern through improved implementation of the state's coastal management program.

- Coordinate state comments to federal land management planning documents including draft, supplemental, and final environmental statements.
  - Prepare state recommendations based on interagency review.
  - Submit complete and timely quarterly and annual performance reports and products.
  - Prepare annual federal grant application and work program for period July 1, 1999 - June 30, 2000.
  - Respond to federal policy initiatives related to coastal management issues.
  - Annually coordinate approximately 30 - 40 state agency reviews of these federal plans, policies, and regulations. Process involves development of state consensus through consultation and negotiation; development of formal state comments; then further negotiation with federal land managers to achieve state objectives in federal decision-making.
  - Coordinate state agency review of mandated federal reports, develop consolidated responses, and present to federal agencies or Congress as appropriate.
  - Coordinate state agency review of draft legislation and provide the results to the Governor's Washington, D.C. office for follow-up as appropriate.
- 4) Enhance technical expertise to address emerging coastal issues.
- Participate with other coastal states in responding to federal legislative initiatives regarding State authorities to influence federal decisions on coastal development. Coordinate with and provide information to the Governor's Washington, D.C. office.
  - Participate in state and national workshops and forums.
  - Prepare six newsletters.
  - Maintain Internet Homepage, which provides access to services.
  - Revise regulations, policies and procedures as recommended by FY 97 program assessment and the Coastal Policy Council.
  - Apply for and receive federal grant to accomplish specific projects.

### Key Component Issues for FY1999 – 2000

- Improve awareness and understanding of coastal management and project development services at DGC. Provide private developers permit information, access to project services, and timely permit reviews and decisions.
- Maintain communication and coordinated decisions among resource agency personnel responsible for permitting development projects. Integrate agency review requirements related to oil and gas exploration and development activities, particularly C-Plan reviews, Right-of-Ways and ACMP Standards.
- Under CPC oversight, upgrade local coastal programs insuring balance among state, federal and local interests.
- Assure state interests are fully addressed as federal agencies prepare and implement plans for national parks, wildlife refuges and preserves, and wilderness lands in Alaska.

### Major Component Accomplishments for FY1998

- 1) Coordinated approximately 400 multi-permit coastal project reviews.
- 2) Secured \$2,812,300 in federal funds for coastal management.
- 3) Obtained federal approval of two coastal community programs.
- 4) Provided state response to all OCS and ANILCA Conservation System Unit activities.
- 5) Provided Internet access to ACMP and permitting review information.

### Statutory and Regulatory Authority

AS 44.19.145&155, AS 44.19.162 & 166, AS 46.40  
6 AAC 50, 80, & 85  
p. L. 101-508, P.L. 96.487

## Governmental Coordination

## Resource Summary

All dollars in thousands

	FY1998 Actuals	FY1999 Authorized	FY2000 Governor
<b>Non-Formula Program:</b>			
<b>Component Expenditures:</b>			
71000 Personal Services	1,628.7	1,620.0	1,620.0
72000 Travel	123.0	119.0	119.0
73000 Contractual	1,375.0	1,334.8	1,334.8
74000 Supplies	31.5	29.0	29.0
75000 Equipment	22.5	13.1	15.1
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	1,112.7	1,161.4	1,161.4
78000 Miscellaneous	0.0	0.0	0.0
<b>Expenditure Totals</b>	<b>4,293.4</b>	<b>4,277.3</b>	<b>4,277.3</b>
<b>Funding Sources:</b>			
1002 Federal Receipts	2,807.1	2,812.3	2,812.3
1003 General Fund Match	1,242.3	1,266.8	1,266.8
1004 General Fund Receipts	187.4	198.0	198.2
1007 Inter-Agency Receipts	56.6	0.0	0.0
1053 Investment Loss Trust Fund	0.0	0.2	0.0
<b>Funding Totals</b>	<b>4,293.4</b>	<b>4,277.3</b>	<b>4,277.3</b>

## Estimated Governmental Coordination Revenue Collections

Description	Master Revenue Account	FY1998 Actuals	FY1999 Authorized	FY1999 Cash Estimate	FY2000 Governor
<b>Unrestricted Revenues</b>					
None.		0.0	0.0	0.0	0.0
<b>Unrestricted Total</b>		<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>Restricted Revenues</b>					
Federal Receipts	51010	2,807.2	2,812.3	2,872.5	2,812.3
Interagency Receipts	51015	56.5	0.0	0.0	0.0
<b>Restricted Total</b>		<b>2,863.7</b>	<b>2,812.3</b>	<b>2,872.5</b>	<b>2,812.3</b>
<b>Total Estimated Revenues</b>		<b>2,863.7</b>	<b>2,812.3</b>	<b>2,872.5</b>	<b>2,812.3</b>

**Governmental Coordination**  
**Proposed Changes in Levels of Service for FY2000**

No service changes.

**Component — Summary of Budget Changes**  
**From FY1999 Authorized to FY2000 Governor**

*All dollars in thousands*

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
<b>FY1999 Authorized</b>	1,465.0	2,812.3	0.0	4,277.3
<b>Adjustments which will continue current level of service:</b>				
-Change Investment Loss Trust Fund to General Fund	0.0	0.0	0.0	0.0
<b>FY2000 Governor</b>	1,465.0	2,812.3	0.0	4,277.3

**Governmental Coordination**  
**Component — Personal Services Information**

Authorized Positions			Personal Services Costs	
	<u>FY1999</u> <u>Authorized</u>	<u>FY2000</u> <u>Governor</u>		
Full-time	25	25	Annual Salaries	1,309,548
Part-time	0	0	Premium Pay	0
Nonpermanent	1	1	Annual Benefits	396,699
			<i>Less 5.05% Vacancy Factor</i>	<i>(86,247)</i>
			Lump Sum Premium Pay	0
<b>Totals</b>	<b>26</b>	<b>26</b>	<b>Total Personal Services</b>	<b>1,620,000</b>

**Position Classification Summary**

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Administrative Assistant	1	0	1	0	2
Administrative Coordinator	0	0	1	0	1
Administrative Officer	0	0	1	0	1
Coastal Program Assistant	0	0	1	0	1
Coastal Program Coordinator	0	0	1	0	1
Dist Program Coordinator II	0	0	1	0	1
Dist Program Coordinator III	0	0	2	0	2
District Program Coordinator	0	0	1	0	1
District Program Coordinator I	0	0	1	0	1
Division Director	0	0	1	0	1
Project Analyst	1	0	4	0	5
Project Review Assistant	1	0	0	0	1
Project Review Asst	0	0	1	0	1
Project Review Coordinator	4	0	3	0	7
Publications Specialist	0	0	1	0	1
<b>Totals</b>	<b>7</b>	<b>0</b>	<b>20</b>	<b>0</b>	<b>27</b>

TYPE OF REVENUE: Interagency Receipts					CONTACT: Pat Poland, Director, 269-4500			
FUNDING SOURCE CODE	FUND	REVENUE ACCOUNT	COLLOCATION CODE	PRIOR YEAR FY 98 ACTUAL	CURRENT YEAR FY 99		FY 2000 GOVERNOR	FY 2001 FORECAST
					AUTHORIZED	CASH ESTIMATE		
1007	11100	51015	21728375	1,000.0	1,000.0	1,000.0	1,000.0	1,000.0
1007	11100	51015	21728378-383	1,130.7	1,376.2	1,376.2	1,376.2	1,376.2
1007	11100	51015	*	605.5				
TOTALS				2,736.2	2,376.2	2,376.2	2,376.2	2,376.2

**EXPLANATION:**

**SHARED FISHERIES BUSINESS TAX PROGRAM:** The funding for the Shared Fisheries Business Tax Program is transmitted each year from the Department of Revenue to DCRA as per AS 43.75.137. This funding is allocated to municipalities based upon a demonstration by the municipalities to the department that they suffered significant effects from fisheries business activities (1,000.0).

**FEDERALLY FUNDED ALASKA COASTAL MANAGEMENT PROGRAM (ACMP) INTER-AGENCY RECEIPTS:** Funds are received from the federal government. Both grant and administrative monies are transferred to this component from the Office of the Governor, Division of Governmental Coordination, for ACMP. Grants are awarded to local coastal districts throughout the state. The administrative funds are used in personal services to provide technical assistance on grants (1,376.2).

\*Prior Year Actual: Unbudgeted RSA's (605.5)

**Restricted Revenue Detail Form C21B**  
Revised 8/26/98

AGENCY Community and Regional Affairs  
BRU Local Government Assistance  
COMPONENT Statewide Assistance #676

Page 1 of 1  
Revised Date:

**FY 2000**

000242

CODE	EXPENDITURE CLASSIFICATION	FY 98 ACTUAL	FY 99 AUTHORIZED	FY 2000 ADJUSTED	FY 2000 GOVERNOR
75025	Total Lands, Buildings, Non-structural Improvements Interagency Transfers (non-add)				
77000	Total Assistance, Grants, and Benefits Interagency Transfers (non-add)	4,725.1	6,340.9	6,340.9	6,340.9
78000	Total Miscellaneous and Debt Service Interagency Transfers (non-add)				

**FUNDING SOURCES**

1002	Federal Receipts	2,023.9	4,000.0	4,000.0	4,000.0
1003	General Fund Match				
1004	General Fund				
1005	General Fund Program Receipts				
1037	General Fund Mental Health				
1007	Interagency Receipts	2,701.2	2,340.9	2,340.9	2,340.9

EXPLANATION		FY 99 AUTHORIZED	FY 2000 ADJUSTED	FY 2000 GOVERNOR
CODE	DESCRIPTION			
77440	Shared Fisheries Business Tax Program: Allocates funding to approximately 100 municipalities around the state to compensate for fisheries business impacts.	1,000.0	1,000.0	1,000.0
77440	Federally funded Alaska Coastal Management Program (ACMP) grants to local districts.	1,340.9	1,340.9	1,340.9
77440	Federally funded Payment In Lieu of Taxes (PILT) program payments to local governments.	4,000.0	4,000.0	4,000.0

LANDS, GRANTS,  
AND  
MISCELLANEOUS  
Form C700  
Revised 8/26/98

AGENCY Community and Regional Affairs

BRU Local Government Assistance

COMPONENT Statewide Assistance #676

Page 1 of 1

Revised Date:

FY 2000

000238

**CONTACT:** Pat Poland, Director, 269-4500

**OBJECTIVES AND ACCOMPLISHMENT MEASURES:**

The Alaska Coastal Management Program: Will have signed grant agreements with approximately 30 municipalities and coastal resource service areas completed by August 30, 1998.

Will award approximately \$1.5 million in federally funded ACMP grants by July, 1999.

Will close out all grant agreements with minimal funds to be returned to the federal government and with projects successfully completed by September 1, 1999.

Shared Fisheries Business Tax Program: Allocate available Shared Fisheries Business Tax Program funding. Approximately \$850.0 is to be awarded to an estimated 100 municipalities around the state which can demonstrate significant impacts from fisheries business activities.

Research and Analysis: Perform at least three major studies for issues relating to rural and/or community development.

Provide community database support and other analytical support for at least eight departmental programs.

Update and make all community database information available to other agencies and the general public through the Internet.

**STATUTORY/REGULATORY CITATIONS**

AS 20.60.010-370	AS 46.40	A. O. #46	Article 10, Sec 14 State Constitution
AS 29.60.450	AS 46.40		19 AAC 30 - 50

**COMPONENT  
OBJECTIVES AND  
ACCOMPLISHMENT  
MEASURES**  
Form CF2  
Revised 8/26/98

AGENCY Community and Regional Affairs  
BRU Local Government Assistance  
COMPONENT Statewide Assistance #676

Page 1 of 1  
Revised Date:

**FY 2000**

CONTACT: Pat Poland, Director, 269-4500

**COMPONENT GOALS:**

Services provided by this component fall into two principal areas: 1) Program Administration (State Revenue Sharing, Safe Communities, Shared Fisheries Business Tax Program, Alaska Coastal Management, and Payment in Lieu of Taxes); and 2) Research and Analysis, which support program development and operations.

**Shared Fisheries Business Tax Program:** The goal of this program is to allocate a share of State Fisheries Business Tax receipts collected outside municipal boundaries to municipalities which demonstrate they suffered significant effects from fisheries activity. This program implements the requirements of AS 29.60.450.

**The Alaska Coastal Management Program (ACMP)** distributes federal grant funds to municipalities and coastal resource service areas and provides research, training and technical assistance for the purpose of developing and implementing coastal management programs.

(continued on page 2)

	FY 98 ACTUAL	FY 99 AUTHORIZED	FY 2000 GOVERNOR
<b>EXPENDITURES:</b>			
Personal Services	388.2	341.5	341.5
Other Program Costs	4,779.2	6,409.3	6,409.3
<b>Total</b>	<b>5,167.4</b>	<b>6,750.8</b>	<b>6,750.8</b>
<b>FUNDING SOURCES:</b>			
Federal Receipts	2,023.9	4,000.0	4,000.0
General Fund Match			
General Fund	336.6	373.8	374.6
GF Program Receipts			
GF Mental Health			
Other Funds	2,806.9	2,377.0	2,376.2
<b>Total</b>	<b>5,167.4</b>	<b>6,750.8</b>	<b>6,750.8</b>
<b>STAFFING:</b>			
Permanent Full-Time	6	5	5
Permanent Part-time	0	0	0
Temporary	0	0	0

**DESCRIPTION OF COMPONENT SERVICES:**

**Shared Fisheries Business Tax Program:** Administer a State Fisheries Business Tax Revenue sharing program (\$800,000 - \$1.4 million) including application procedures, application evaluations, funding allocation calculations and distributing funding.

**Alaska Coastal Management Program:** Award and administer \$1 million - \$1.5 million in federally funded grants to municipalities and Coastal Resource Service Areas (CRSA). Assist local staff and CRSA boards with staff training, development of coastal management related plans and ordinances, hiring of contractors, board elections, etc.

(continued on page 2)

**DESCRIPTION OF COMPONENT CHANGES:** None.

**COMPONENT GOALS AND SERVICES**  
Form CF1  
Revised 8/26/98

AGENCY Community and Regional Affairs  
BRU Local Government Assistance  
COMPONENT Statewide Assistance #676

Page 1 of 2  
Revised Date:

FY 2000

000227

CONTACT: Pat Poland, Director, 269-4500

**COMPONENT GOALS:**

- 1) Provide federal block grant funds to communities for public facilities, planning activities, and economic development which encourage community self-sufficiency, reduce or eliminate conditions detrimental to the health and safety of local residents, and reduce costs of essential services.
- 2) Assist communities prepare and implement comprehensive community development strategies; including the economic development components.
- 3) Provide grants, loans and assistance for local economic and business development efforts to achieve sustainable economies.
- 4) Support state sponsored Alaska Regional Development Organizations' (ARDORs) efforts to prepare and implement regional economic development strategies.
- 5) Increase local jobs and revenue from fisheries resources through implementation of the Community Development Quota (CDQ) program.

	FY 98 ACTUAL	FY 99 AUTHORIZED	FY 2000 GOVERNOR
<b>EXPENDITURES:</b>			
Personal Services	507.1	540.3	540.3
Other Program Costs	915.6	1,037.0	957.0
<b>Total</b>	<b>1,422.7</b>	<b>1,577.3</b>	<b>1,497.3</b>
<b>FUNDING SOURCES:</b>			
Federal Receipts	20.1	50.0	
General Fund Match			
General Fund	448.2	455.6	456.1
GF Program Receipts			
GF Mental Health			
Other Funds	954.4	1,071.7	1,041.2
<b>Total</b>	<b>1,422.7</b>	<b>1,577.3</b>	<b>1,497.3</b>
<b>STAFFING:</b>			
Permanent Full-Time	9	8	8
Permanent Part-time	0	0	0
Temporary	0	0	0

**DESCRIPTION OF COMPONENT SERVICES:**

This component supports the following programs which assist communities and individuals strengthen their local economies and infrastructure for public services: Community Development Block Grants, Community Services Block Grants, Rural Development Assistance Grants, Rural Business Development Mini-Grants, Rural Development Initiative Fund (RDIF) loans, Alaska Regional Development Organizations (ARDORs), and Community Development Quota (CDQ) and Alaska Rural Development Council (ARDC). A brief description of these services follows.

(continued on page 2)

**DESCRIPTION OF COMPONENT CHANGES:**

During FY1999, the Department ended its role as the host partner for the Alaska Rural Development Council. That function was relocated to the University of Alaska-Anchorage.

**COMPONENT  
GOALS  
AND SERVICES**

Form CF1

Revised 8/26/98

AGENCY Community and Regional Affairs

BRU Community and Economic Development

COMPONENT Community and Economic Development #2243

Page 1 of 3

Revised Date:

**FY 2000**

000250

## DESCRIPTION OF COMPONENT SERVICES (continued):

**Community Development Grant and Assistance Programs:**

Direct funding is provided through competitive programs such as: 1) Community Development Block Grants (federal); 2) Community Services Block Grants (federal); and 3) Rural Business Development Mini-grants (state/federal). Technical assistance, grant monitoring, and project management assistance are provided by the staff from this component as well as the Training and Development component of the Local Government Assistance BRU. Our approach is to help communities evaluate and pursue community and economic development opportunities as part of a comprehensive and coordinated strategy. These programs are a critical part of supporting the construction of needed infrastructure, promoting economic and community infrastructure development, as well as directly funding local economic and development efforts.

The **Community Block Grants** program provides funding in the operating budget for administrative costs associated with distribution of federal funds appropriated to the capital budget from the U.S. Department of Health and Human Services (DHHS) and the U.S. Department of Housing and Urban Development (DHUD). Grant decisions are made using a competitive award process. Grants are negotiated, written, amended, monitored, and closed out by staff. Ongoing technical assistance is provided to ensure compliance with federal guidelines. Approximately 30 to 40 grants will be awarded.

The **Rural Business Development Mini-grant** program provides funds to local governments to use for start up or expansion of rural businesses or to plan for tourism, manufacturing or product development/marketing. After awards are made, staff assist with grant administration and project progress and completion. Grant funds and some administrative funds are provided by the U.S.D.A. Forest Service Rural Community Assistance Program (RCAP). Communities of 10,000 or less are eligible to apply for their priority project for a maximum of \$30,000 per community. This program encourages innovation in the use of rural human and natural resources.

**Community Development staff** assist communities in identifying infrastructure needs and economic potential as part of an overall community development strategy. Staff assist communities implement to these strategies to meet these needs and realize this potential. Field office staff in Nome and Bethel assist communities in identifying businesses which the community can support and assists the community and local residents in planning and financing these businesses to create local employment opportunities. In addition staff broker resources available from federal and state agencies, and economic-based private organizations.

(continued on page 3)

**ADDITIONAL  
EXPLANATION  
FORM**

Revised 8/26/98

AGENCY Community and Regional AffairsBRU Community and Economic DevelopmentCOMPONENT Community and Economic Development #2243

Page 2 of 3

Revised Date:

FY 2000

000251

CONTINUATION OF FORM:

CF1, Component Goals and Services

DESCRIPTION OF COMPONENT SERVICES (continued):

**Rural Development Initiative Fund:** Loans from this fund are provided in partnership with banks to start or expand small businesses which create or retain jobs in communities with less than 5,000 population.

**Community Development Quota (CDQ):** The CDQ system is managed and led by DCRA, and coordinates the activities of Alaska's Department of Fish and Game and Department of Commerce and Economic Development to ensure fish harvesting from the Bering Sea benefits Western Alaska coastal communities. The return of capital has been very successful, providing fisheries infrastructure and creating private-sector jobs in Western Alaska.

**Alaska Regional Development Organizations (ARDORs):** This program provides matching grants to 12 ARDORs to support regional economic development strategies and business development assistance to communities and individuals in urban and rural regions.

**ADDITIONAL  
EXPLANATION  
FORM**

Revised 8/26/98

AGENCY Community and Regional Affairs

BRU Community and Economic Development

COMPONENT Community and Economic Development #2243

Page 3 of 3

Revised Date:

FY 2000

000252

**ALEUTIANS WEST**  
COASTAL RESOURCE SERVICE AREA

April 19, 1999

The Resources Committee  
c/o The Honorable Rick Halford, Chair

Dear Senator Halford and members of the Committee,

This letter is written in opposition to Senate Bill No. 140. I am fairly new to the program, having worked in coastal management since December of 1997, but it is apparent to me that the program is successful today, and presumably for the past twenty years, because it is based on a networked approach to resource development and protection. The thirty-five coastal districts work closely with the Division of Governmental Coordination and a multitude of State agencies to effectively manage the program. DGC provides the umbrella and link between the applicant, the local governmental level, multiple state agencies, and the federal government, to facilitate the permitting process and serve the public.

At a recent Coastal Policy Council meeting I heard the action proposed under this bill referred to as "moving the chairs on the Titanic". If SB 140 is being proposed as a cost saving measure it is doubtful it will have that result as it will transfer a fully functioning program to an agency that will then need to staff up to meet the coordination and grant administration requirements. And how will the public be effectively served during the transition period?

The Alaska Coastal Management Program is not broken! I feel it would be detrimental to the public interest to remove the program from the Governor's office and oversight. Thank you for considering my opinion.

Sincerely,



Karol Kolehmainen  
Program Coordinator, Aleutians West Coastal Resource Service Area

Cc: The Honorable Robin Taylor, Co-Chair  
AWCRSA Board of Directors



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL OCEAN SERVICE  
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT  
Silver Spring, Maryland 20910

## FAX TRANSMITTAL

DATE: 4/19/99

MULTIPLE TRANSMISSION 2 PAGES TO FOLLOW

### ADDRESSEE

NAME: SENATOR RICK HALFORD  
ORGANIZATION: AK SENATE  
PHONE NUMBER: 907-465-4907  
FAX NUMBER: 907-465-4928

### ORIGINATOR

NAME: Bill MillHOUSER, OCRM/NOAA  
PHONE NUMBER: 301-713-3121 x189

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### COMMENTS

OCRM/NOAA COMMENTS ON SB140

CC: DGC @ 907-465-3075

AK Gov's OFFICE @ 907-364-3695





UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL OCEAN SERVICE  
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT  
Silver Spring, Maryland 20910

APR 19 1999

Honorable Rick Halford, Chair  
Senate Resources Committee  
Alaska State Capitol  
Juneau, AK 99801

Dear Senator Halford:

I am writing to express my concerns regarding SB 140, which changes the lead agency for the Alaska Coastal Management Program (ACMP) from the Division of Governmental Coordination (DGC) to the Department of Natural Resources (DNR). As the Federal agency charged with administering the Federal Coastal Zone Management Act of 1972, as amended, (CZMA) the Office of Ocean and Coastal Resource Management (OCRM) views this move, which requires significant public discussion and review prior to legislative action, as a major change to the Federally approved ACMP. As we were only made aware of the Bill and the hearings late last week, our comments are preliminary in nature. We would also be available to respond to any questions regarding the CZMA and its implementing requirements.

**Adequate public participation:** The CZMA contains specific requirements regarding public involvement in program development, implementation and program changes. It appears that the public has not had adequate time to review the Bill and understand the rationale and consequences of the proposed change. We would urge you to provide adequate time at the scheduled hearings to consider the comments of affected local communities and various interests.

**Federal requirements for lead agency:** The Federal regulations for coastal management program (CMP) development include factors for selecting state CMP lead agencies. In the case where states rely on a "network" of state and local planning and permit programs, state agencies with strong coordination and conflict resolution functions are more often than not the best suited to be the lead agency. The DGC, as its name connotes, is well suited to coordinate the full range of ACMP lead agency activities.

**The objectiveness of ACMP consistency review may suffer:** The success of the state consistency process (6 AAC 50) is due largely to the objective facilitation role of the DGC. External parties could question whether the DNR would be as objective as the DGC and could provide the balance needed as promoter and State permit agency for major oil and gas, mining, forestry resource development. Such a change might adversely affect efficient and effective decision making in these areas. In addition, such an impact on the ACMP's decision making




ability in these areas raises the question as to whether the ACMP would continue to adequately consider the national interest in these areas, which is a requirement for continued Federal approval of the ACMP pursuant to the CZMA.

**Lack of clear justification for the change:** Several recent Federal evaluations of the ACMP, including OCRM's recent section 312 evaluation and the two year comprehensive ACMP Assessment, did not find any need for change in the lead agency. Our review of the draft "Mission Analysis," and "Sponsor Statement" provided with the Bill suggests that a more detailed analysis of the functions of each agency is necessary to form a basis for discussion and decisions of the public policy implications of the change.

**Moving ACMP to DNR may not result in a cost savings:** Based on the limited information provided us, it is unclear whether moving the ACMP to the DNR will result in any cost savings due to dissimilar functions of each agency. For example, the objectives and areas covered by local coastal district planning and management activities required under the coastal program are different than the objectives and areas subject to the Title 38 public lands planning undertaken by the DNR. In addition, we would note that negotiations regarding the State's FY2000 Federal grant indicate that available federal funds are barely adequate to support the major State agency and local coastal district components of the ACMP program. Finally, we should note that Federal funds can not be used to supplant state funds in this matching grant program.

**Effect of agency change on FY 2000 award to the State:** We are currently completing the processing of the Alaska FY2000 award, scheduled to be awarded on July 1, 1999. The CZMA requires that we approve changes to State CZM programs prior to our funding of such changes. Therefore, if there is a change in the designated lead agency for the ACMP, we would need to work out a mechanism to cover the 4-6 month period that would be necessary for OCRM to review this change. Most likely we would condition the cooperative agreement to allow expenditure of a portion of the Federal funds for activities as specified in the application submitted by DGC, and then address the use of the remaining funds upon completion of our amendment review.

Sincerely,

  
for Joseph A. Uravitch, AICP  
Chief, Coastal Programs Division

cc: Office of the Governor  
DGC

under the Forest Resources and Practices Act reforestation requirements.

- Process 500 permit applications, which include land use permits for commercial guides, access to mining claims and logging areas, cross-country travel, trapping cabin permits, and tideland permits.
- Respond to all native allotment and ANCSA conveyance decisions by the federal government to reserve access to state land.
- Begin a recreational boating safety program through the new Office of Boating Safety.
- Provide management oversight to 2.6 million acres of legislatively designated public use, recreation areas, trails, and 15 special use areas; and provide co-management oversight of 5.4 million acres of legislatively designated game refuges, critical habitat areas, sanctuaries, and wildlife ranges.

**4 Streamline natural resource leasing, sales, and permitting processes**

- Complete automation of graphic land records for 200 townships so land ownership and resource information can be combined for analysis.
- Enhance the Recorder's Office operations to better meet the workload and user demand.
- Integrate appropriate modern location and communication technology, such as GPS and Internet communications, into the mining location staking, maintenance, and permit process.

**KEY PERFORMANCE MEASURES**

- Offer 7 million acres of state land for oil and gas leasing in 2 area-wide leases.
- Complete geophysical/geological mineral inventory surveys of 1,000 square miles of Alaska Lands.
- Administer and facilitate the issuance of 15,000 mining claim permits.
- Maintain and operate 121 state park units.
- Maintain the state's land database through the notation of 10,000 state resource transactions affecting 12,000 townships and make the information available to the public.
- Generate \$1.4 million from sale of forest products and offer approximately 60 million board feet of timber.

**Major Changes and Key Issues**

*Performance review*

DNR will continue to identify the organization's desired outcomes, which will support the administration's goals.

*Electronic commerce*

Initiate secure electronic commerce with the Oil & Gas and Mining industries via standard reporting and electronic transactions. Deliver scanned images of status plats and surveys to the public via the Internet. Accept electronic payments for Mining, Parks, and Recorder's Offices.

Budget Summary	FY1998 Actual	FY1999 Authorized	FY2000 Governor
Designated/Statutory Program Receipts	\$2,931.7	\$3,554.0	\$4,040.7
General Funds	\$59,655.3	\$39,588.5	\$40,288.5
Federal Funds	\$12,380.4	\$10,693.7	\$11,429.3
Other Funds - Interagency receipts, etc.	\$11,714.8	\$10,632.0	\$11,522.1
<b>TOTAL BUDGET</b>	<b>\$86,682.2</b>	<b>\$64,468.2</b>	<b>\$67,280.6</b>
Positions - Full-time	555	556	578
Positions - Part-time and Seasonal	240	247	243
<b>KEY PROGRAM AREAS (All Fund Sources)</b>			
Oil and Gas Development	\$4,402.1	\$4,414.6	\$4,589.6
Resource Development & Administration	\$35,774.9	\$37,408.6	\$38,635.1
Parks & Recreation Management	\$8,020.0	\$7,327.3	\$8,036.9
Recorder's Office	\$2,272.3	\$2,314.3	\$2,614.3
Historic Preservation	\$1,163.0	\$1,256.4	\$1,256.4
Agriculture	\$2,969.8	\$3,252.3	\$3,653.6

## DEPARTMENT OF NATURAL RESOURCES

### Mission

Develop, conserve, and enhance natural resources for present and future Alaskans.

#### Major Goals and Strategies

##### **1 Encourage resource development that creates Alaska jobs and ensures economic growth in all regions of the state**

- Offer more than 7 million acres of state land for oil and gas leasing in 2 area-wide lease sales and begin Best Interest Finding for Exploration License applications in Copper River basin.
- Increase revenues generated from Alaska Mental Health Trust Lands from \$3.0 million to \$3.5 million in a manner consistent with trust management principles.
- Produce the geological surveys and mapping materials needed to sustain Alaska's mineral industry investments.  
Increase farm production by 2% (\$1 million).
- Identify new areas capable of hosting major oil and gas discoveries.
- Generate \$1.4 million from the sale of up to 60 million board feet of timber with emphasis on value added products.
- Process, adjudicate and enter into Land Administration System 15,000 new mining claims, 20 new leases and 5,000 new prospecting sites.
- Complete 10 site-specific land use plans to facilitate land use classification for development projects, participate in 2 highway corridor plans, 20 trail plans, and Trails and Recreational Access for Alaska 10 initiatives.
- Convey land to 8 municipalities.
- Process 500 applications for material sales, shore fishery, upland and tideland leases, lease renewals, rights-of-way, and interagency land management assignments.
- Maintain the value of the Alaskan mineral industry at more than \$1 billion despite falling commodity prices; increase Alaska's market share of world exploration dollars; and increase mining employment to more than 4,000 well-paying Alaskan jobs.

##### **2 "Doing it Right": Ensure resource development planning, management, and new project approvals are based on sound science and protection of public health, air and water quality, and fish and wildlife habitat**

- Evaluate areas subject to major hazards like floods, earthquakes, volcanic eruptions, and landslides to help predict likelihood and severity of future major events.
- Conduct over 3,000 produce inspections, field inspections for seed certification and disease control, and issue certificates for export products.
- Through the Natural Resource Conservation and Development Board coordinate programs to obtain \$7.3 million federal funding for agriculture related conservation and erosion control in Alaska.
- Supervise the safety inspection of approximately 22 dams and test emergency action plans for 5 high-risk dams.
- Implement recommendations from the Spruce Bark Beetle Strategy Task Force with other landowners on the Kenai.
- Maintain inventory of historic and archaeological sites for use by developers, land managers and planners.

##### **3 Ensure resource sustainability and multiple use, including recreational enjoyment of the resource base**

- Maintain park access for 4 million visits at 121 state park units.
- Successfully manage 500-600 wildfires.
- Provide an expanded agriculture base by preparing 24 land disposal parcels and 17 lease opportunities on grassland areas.
- Review and issue 740 permits for commercial activities on parklands.
- Reforest 1,000 of forestland, survey 500 acres for regeneration, and review private land for compliance

# ALLOCATE LAND & RESOURCES

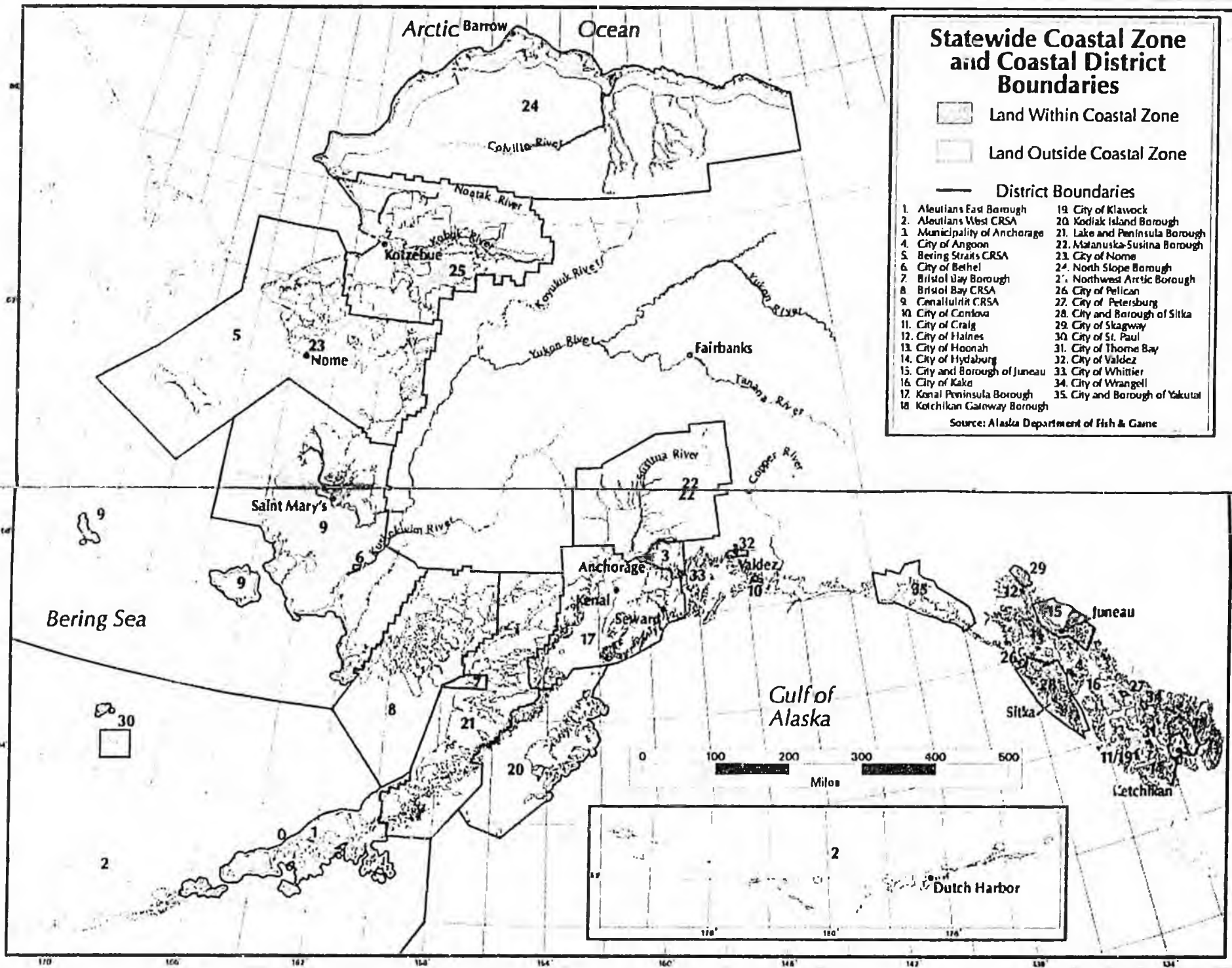
Alaska  
Department of  
Natural Resources

## AREA PLANS



## OBJECTIVES:

- ☑ Allocate the use of state land to facilitate use and settlement
- ☑ Participate and coordinate with adjacent landowners/ managers' land planning efforts to ensure state interests are protected and enhanced.



Map produced by ES&S-Alaska

### **Who is DGC?**

The **Division of Governmental Coordination (DGC)** is home to the ACMP. Located in the Office of the Governor, DGC is responsible for the overall administration and operation of the ACMP. In this role, DGC provides assistance to applicants, coastal districts, and state agencies in carrying out their duties and responsibilities under the ACMP.

DGC has connections throughout the ACMP network.

As such, *your first ACMP contact should probably be one of DGC's helpful Project Review Coordinators.* DGC also serves as the coordinator for the consistency review process if your project requires a federal permit or permits from more than one state agency.



The staff at DGC perform a variety of other activities that support the ACMP, including

- preapplication meetings for applicants
- federal funding for the ACMP
- assistance to local districts in getting their coastal management programs approved
- assistance resolving conflicts
- appeals, elevations, and petitions
- ACMP education and training

### **Who are the State Resource Agencies?**

The State of Alaska has three agencies primarily responsible for managing its natural resources and uses of those resources. These **resource agencies** have permitting authorities for specific activities. If your project requires a permit(s) from only one state resource agency, that agency coordinates the consistency review process.

Your project will most likely require one or more permits from at least one resource agency. The state resource agencies include:

- *Department of Natural Resources (DNR)* manages state-owned land and natural resources, including sales and leases.
- *Department of Fish and Game (DFG)* manages the state's fish and wildlife resources and their habitats.

- *Department of Environmental Conservation (DEC)* serves to safeguard the public health and environment from human uses.

### **What is a coastal district?**

*Coastal districts* are generally local governments, such as cities and boroughs, that contain a portion of Alaska's coastal area. In coastal areas outside the boundaries of local government, coastal districts known as Coastal Resource Service Areas (CRSA) may be formed.

Most coastal districts develop a coastal management program that requires a rigorous state and federal approval process. A district coastal management program contains enforceable policies that guide development affecting the coastal resources within its boundaries. Once approved, a district coastal management program becomes a part of the ACMP.

During the consistency review process, an affected coastal district reviews your project against the enforceable policies of its coastal management program. By complying with its enforceable policies, your project can help the district achieve its goals and objectives for coastal development within its boundaries.

### **The ACMP consistency review process provides:**

- *a one-stop, consolidated state response to coastal development projects and related state and federal permit applications;*
- *specific timeframes and deadlines for reviewing project applications; and*
- *a fast appeal (elevation) process.*