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SCOMM

# 10:10

April 10, 1980

Don Gilman, Co-chair  
Alaska Coastal Policy Council  
Soldotna, Alaska  
and  
John Haltermann, Co-chair  
Alaska Coastal Policy Council  
Juneau, Alaska

Dear Messrs. Gilman and Haltermann:

Recently Representative Osterback sponsored, through the House Resources Committee, HB 992, An Act relating to the formation of coastal resource service areas; and providing for an effective date. This bill, as I understand it, seeks to solve problems encountered in the Alaska Peninsula/Aleutian chain in establishing viable coastal resource service districts.

A similar bill may be introduced on the Senate side, by Senator Mulcahy. As Chair of the Senate Community and Regional Affairs Committee, I would appreciate hearing from you regarding this bill--your and the Council's view both of the problem and of this particular solution to that problem.

Thank you for your cooperation.

Sincerely,

Arliss Sturgulewski  
Senator, District 10-H



# Alaska State Legislature

## House of Representatives

Committee on

Community & Regional Affairs

Pouch V  
State Capitol  
Juneau, Alaska 99811

Official Business

BILL NUMBER AND TITLE: HB 992 Coastal Resource Service Areas

ORIGINAL SPONSOR: Osterback (Resources  
RECEIVED FROM: Committee)

OTHER SPONSORS: \_\_\_\_\_  
FURTHER REFERRALS: \_\_\_\_\_

HEARING DATE: 4/28/80

MEMBERS PRESENT: Bill Parker X Pat Carney X  
Margaret Branson X Charlie Parr X  
Pat O'Connell Fred Zharoff X  
Ray Metcalfe

Rep. Alvin Osterback, Sponsor

Uses map to discuss problem which exists particularly in the Aleutian Chain area. Sand Point and King Cove would like to work together on developing a coastal management program independently of the rest of REAA 8 which is noncontiguous. Refers to correspondence between Dept. C&RA and the communities on the issue.

Parr - Questions the effect of such a subdivision on the planning for Outer Continental Shelf activities.

Murray Walsh, Office of CZM

Bottomfish and OCS impacts would be addressed in the planning process regardless of the size of the coastal resource service area.

Veronica Clark, Dept. C&RA

Dept. supports the concept of the bill as does the Alaska Coastal Policy Council which endorsed the proposal.

Parr - Questions effect on Council representation of HB992.

Clark

Nine regions of the state have representation on the Council and HB 992 wouldn't effect this. Clark generally addressed problems with the inability to subdivide REAAs in the Prince of Wales area and Southeast Ak. in particular. It is her perception that planning hasn't been initiated thus far as people aren't aware or convinced that they have some-to gain from the planning exercise.

Parker - Questions if it is the intent in the proposed CS work draft that one first class or home rule city could exclude itself while another might be required to be included in the subdivided area? This point needs to be clarified in the final CS.

COMMITTEE ACTION: Supports drafting of CS with clarifications noted by Committee members.

TAPE # 9 SIDE 1 Footage 1352-1756  
9 2 00-712

Zharoff - Suggests that other "features" might be relevant  
to be included on p. 1.

Carney - Other "features" would probably be brought out during  
the public hearing process.

Parr - At the least, economic and ecological considerations  
should be mentioned.

Committee concurs that a CS be drafted based on the work  
draft.

Original sponsor: Rules/Legislative Budget  
and Audit Committee

Offered: 5/22/80  
Referred: Finance

1 IN THE HOUSE

BY THE COMMUNITY AND REGIONAL  
AFFAIRS COMMITTEE

2

SENATE CS FOR CS FOR HOUSE BILL NO. 932

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

ELEVENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act creating the Rural Development Council; and  
7 providing for an effective date."

7

8

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

9

\*Section 1. FINDINGS; POLICY, PURPOSE. (a) The legislature finds that  
10 there is a public interest in the development of a healthy private economic  
11 base in rural Alaska, that the rural areas of the state and the many small  
12 communities of the state have been in economic crisis for decades, and that  
13 in many rural communities a private economic base has ceased to exist which  
14 conditions endanger the economic, social, and cultural well-being of the  
15 state's rural citizens and the healthy growth and balance of the state's  
16 entire economy. The legislature further finds that while many opportunities  
17 for economic growth may be available to rural areas, the problems of the  
18 state's rural areas are many and complex, spreading beyond the confines or  
19 authority of any one program, any one government, or any one policymaker and  
20 therefore requiring a special initiative on the part of all concerned par-  
21 ties.

22

(b) It is the policy of the legislature that

23

(1) villages and small communities should have access to economic  
24 development opportunities;

25

(2) there is a special commitment to the development of a private  
26 economic base for villages and small communities;

27

(3) the state should use its resources and financial strength to  
28 encourage the development of a healthy, self-sustaining rural economy;

28

29

(4) the state has the primary policy responsibility to act and to

1 catalyze commitment among many interests, including the state, federal govern-  
2 ment, local governments, and the private sector to promote a private economy  
3 in rural areas;

4 (5) the advocacy of a private economy compatible with preservation  
5 of the subsistence economy should be one of the highest priorities of state  
6 policy.

7 (c) It is the purpose of this Act to create a governmental structure  
8 that will function as an advocate of rural areas and small communities pre-  
9 senting development issues before state, federal, and local governments, and  
10 in the private sectors, and which will assist rural people and institutions  
11 in laying the foundations of a healthy rural private economic base.

12 \* Sec. 2. AS 44.19 is amended by adding new sections to read:

13 ARTICLE 3C. RURAL DEVELOPMENT COUNCIL.

14 Sec. 44.19.191. COUNCIL ESTABLISHED. (a) There is established in  
15 the Office of the Governor the Rural Development Council. The council  
16 consists of

17 (1) a person appointed by the governor and designated as  
18 chairman of the council;

19 (2) a member of each house of the legislature appointed by  
20 the presiding officer of that house;

21 (3) the commissioners of the departments of transportation  
22 and public facilities, commerce and economic development, and community  
23 and regional affairs, and the director of the division of policy de-  
24 velopment and planning;

25 (4) six representatives of the private sector appointed by  
26 the governor who are residents of the rural area or small communities;

27 (5) the Alaska state director of the Farmers Home Administra-  
28 tion of the United States Department of Agriculture, the Special Assis-  
29 tant to the Secretary of the United States Department of the Interior in

1 Alaska, and a designated representative of the Region X Rural Develop-  
2 ment Task Force, who are ex officio members of the council and may  
3 attend and participate in all meetings of the council but may not vote.

4 (b) The members of the council appointed by the governor serve at  
5 the pleasure of the governor.

6 (c) The council may invite representatives from state and federal  
7 agencies, local governments, or other groups and interested individuals  
8 to participate as nonvoting participants as the council considers appro-  
9 priate.

10 (d) The chairman of the council is the person designated by the  
11 governor as chairman. The chairman may appoint a vice-chairman.

12 (e) Members of the council serve without compensation but are  
13 entitled to per diem and travel expenses provided by law for members of  
14 boards and commissions.

15 Sec. 44.19.201. EXECUTIVE DIRECTOR. An employee of the Office of  
16 the Governor designated by the governor is executive director of the  
17 council.

18 Sec. 44.19.211. POLICY AND COORDINATION. The council shall pro-  
19 vide policy recommendations to the legislature and to the governor. The  
20 chairman of the council shall assist the director in coordinating the  
21 economic development activities of all departments and agencies of  
22 government so that the need for those activities and the impact of those  
23 activities on small communities and rural areas is considered and assist  
24 in coordinating the activities of departments and agencies of government  
25 which have field responsibilities in the rural areas to the extent that  
26 those activities relate to economic development. The council shall also  
27 assist the governor in his advocacy function.

28 Sec. 44.19.216. MEETINGS. The council shall meet at the call of  
29 the governor or the chairman or at the request of a majority of the

1 members. The council shall meet at least four times a year at a regu-  
2 larly scheduled time as determined by the members. The council may  
3 convene meetings of heads of agencies or departments which are concerned  
4 with rural matters or economic development if the council determines a  
5 meeting to be useful.

6 Sec. 44.19.221. POWERS AND DUTIES OF THE COUNCIL. The council  
7 shall

8 (1) investigate and assess rural conditions;

9 (2) act as advocate for the development of an economic base  
10 which is compatible with preservation of the subsistence economy in  
11 rural Alaska, for community development and for public services which  
12 will enhance the opportunity for growth of an economic base in small  
13 communities and rural Alaska, and for other matters and programs useful  
14 to development of the private economy in rural Alaska;

15 (3) develop and recommend to the governor and the legislature  
16 rural development goals and policies;

17 (4) recommend to the governor and the legislature activities,  
18 programs, projects, or strategies which will stimulate rural development  
19 in Alaska in accordance with adopted state rural development policies;

20 (5) recommend to the governor and the legislature the most  
21 effective uses of available federal money to implement the priorities  
22 itemized in (4) of this section;

23 (6) assist in the interagency and intergovernmental coordina-  
24 tion of economic development issues, activities, and projects in Alaska;

25 (7) submit to the governor, within one year of the effective  
26 date of this Act and on a yearly basis thereafter, a report containing  
27 a summary of the council's activities regarding the duties under (1),  
28 (3), (4), (11), and (12) of this section and making recommendations as  
29 to future rural development activities;

1 (8) act as advocate for rural development programs which are  
2 not within the jurisdiction of a specific department or agency;

3 (9) act as advocate for appropriate technology development  
4 and the advancement of entrepreneurial opportunities;

5 (10) encourage and assist in the creation and use of regional  
6 development enterprises;

7 (11) identify opportunities for joint investment strategies;

8 (12) facilitate rural development efforts approved by the  
9 governor by

10 (A) identifying interagency or intergovernmental pro-  
11 cedural obstacles and providing assistance to these efforts in  
12 meeting legal requirements;

13 (B) coordinating technical and financial assistance  
14 efforts;

15 (C) offering its services as a mediator on specific  
16 conflicts arising in rural development issues.

17 Sec. 44.19.226. REPORTS. Before January 15 of each year the  
18 council shall submit to the legislature a comprehensive report de-  
19 scribing the activities of the council for the preceding year.

20 Sec. 44.19.231. DEFINITIONS. In AS 44.19.191 - 44.19.231

21 (1) "council" means the Rural Development Council;

22 (2) "director" means the executive director of the Rural De-  
23 velopment Council.

24 \* Sec. 3. AS 44.66.010(a) is amended by adding a new paragraph to read:

25 (8) Rural Development Council (AS 44.19.191 - 44.19.231) --

26 June 30, 1987.

27 \* Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-  
28 070(c).

Original sponsor: State Affairs Committee

Offered: 4/30/80  
Referred: Rules

1 IN THE SENATE

BY THE COMMUNITY AND REGIONAL  
AFFAIRS COMMITTEE

2 CS FOR SENATE BILL NO. 562

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the formation of coastal resource  
7 service areas; and providing for an effective date."

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

9 \* Section 1. AS 46.40.120(a) is amended to read:

10 (a) Except as otherwise provided in [(b) OF] this section, each  
11 regional educational attendance area established under AS 14.08.031  
12 containing a part of the coastal area may be organized as a coastal  
13 resource service area.

14 \* Sec. 2. AS 46.40.120 is amended by adding a new subsection to read:

15 (d) For purposes of coastal zone management only, the commissioner  
16 of the Department of Community and Regional Affairs may, after public  
17 hearings held in the regional educational attendance area affected,  
18 divide an existing regional educational attendance area into no more  
19 than three coastal resource service areas according to geographic,  
20 cultural, economic, environmental, or other features relevant to coastal  
21 management planning; however

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

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

28 (3) a coastal resource service area formed before the effec-  
29 tive date of this Act may not be divided for coastal management planning

1 purposes.

2 \* Sec. 3. AS 46.40.190 is amended to read:

3 Sec. 46.40.190. COOPERATIVE ADMINISTRATION. (a) A city within  
4 the coastal area which is not part of a [AN ADJACENT] coastal resource  
5 service area shall be included [MAY INCLUDE ITSELF] for purposes of this  
6 chapter within an adjacent coastal resource service area unless [IF] its  
7 governing body, by resolution adopted by a majority of its membership,  
8 chooses to exclude [CONSENTS TO THE INCLUSION OF] the city from an ad-  
9 acent coastal resource service area and a copy of the resolution is  
10 filed with the commissioner of the Department of Community and Regional  
11 Affairs.

12 (b) Nothing in this chapter restricts or prohibits cooperative or  
13 joint administration of functions between a municipality and a coastal  
14 resource service area organized under the provisions of this chapter  
15 upon initiation of a mutual agreement for the purpose. A city which  
16 elects to be excluded from an adjacent coastal resource service area  
17 under (a) of this section shall enter into a mutual agreement for co-  
18 operative or joint administration of functions with the coastal resource  
19 service area board from the adjacent coastal resource service area.

20 \* Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-  
21 070(c).

# STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

## DEPT. OF COMMUNITY & REGIONAL AFFAIRS

OFFICE OF THE COMMISSIONER

POUCH B - JUNEAU 99811

April 21, 1980

The Honorable Bill Parker  
Chairman  
Community and Regional Affairs  
Committee  
Alaska State House of Representatives  
Pouch V  
Juneau, Alaska 99811

Dear Mr. Chairman:

At your request, the Department of Community and Regional Affairs has prepared background information on HB 992 and explored alternatives to the bill.

### BACKGROUND

The Alaska Coastal Management Act of 1977, as amended, allows residents of the unorganized borough to organize coastal resource districts encompassing one or more regional educational attendance areas (REAs). The Commissioner of Community and Regional Affairs has authority to combine two or more REAs into a single coastal resource service area prior to organizational elections. Municipalities which exercise planning powers are also districts; they may join an adjacent coastal resource service area but are not required to do so. Each district prepares a coastal management program to be submitted to the Coastal Policy Council and State Legislature. This system seems to work well in certain areas, but has been received with reservation in others. Attachment 1 lists each coastal REA and coastal resource districts within each REA and indicates whether the district's coastal management program is under way or completed. REAs which have not yet conducted coastal management elections but could do so under the present law are described as "potential" districts.

Coastal resource districts have been organized in three regions of the unorganized borough; another region is seriously considering following suit. Districts have formed in the Northwest Alaska region (REA 1), the Bering Straits region (REA 2), and the Yukon/Kuskokwim region (REAs 3 and 4); district formation is under consideration in the Bristol Bay region (REAs 6 and 7). These four regions have the following traits in common:

The Honorable Bill Parker  
April 21, 1980  
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1. Each region has one dominant regional center: Kotzebue in the Northwest Alaska region; Nome in the Bering Straits region; Bethel in the Yukon/Kuskokwim region and Dillingham in the Bristol Bay region.
2. All of the communities in the Northwest Alaska region and all but one in each of the other regions are second class cities or unincorporated and therefore obtain educational services from an REAA. (First class and home rule cities operate their own school districts.)
3. In two of the three regions which have organized coastal resource districts the regional center has chosen not to join the adjacent service area. Consequently, in the Bering Straits region there are two coastal resource districts, the City of Nome and the Bering Straits Coastal Resource Service Area; in the Yukon/Kuskokwim region, there are also two coastal resource districts, the City of Bethel and the Yukon/Kuskokwim Coastal Resource Service Area.

In addition to the regions discussed in the foregoing paragraphs, there are six coastal REAAs which have not yet organized coastal resource districts. They have the following characteristics:

1. Four of them--the Aleutian Islands (REAA 8), Northern Panhandle (REAA 18), Southern Panhandle (REAA 19) and Prince William Sound (REAA 21)--have several first class or home rule cities each and no dominant regional center. Therefore, each region has several school districts, several coastal resource districts, and no established central gathering place or service center (except Anchorage, Juneau, or Seattle).
2. Federal landholdings consume much of the land within each region. Federally owned land is not part of the State's coastal zone. Settled areas and non-federal land often occur as isolated pockets separated by thousands of acres of federally owned land.

HB 992 resulted from concern that options offered by the Alaska Coastal Management Act may not be well suited to the second set of REAAs discussed above (REAAs 8, 9, 10, 18, 19, 21). Attachment 2 describes advantages and disadvantages of the status quo [AS 46.40.120(b)], HB 992, two legislative alternatives and one administrative alternative.

Sincerely,

*Marie Matsued-Pignatelli*  
for Lee McAnerney  
Commissioner

Attachments

The Honorable Bill Parker  
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cc: The Honorable Arliss Sturgulewski  
Alaska State Senate

The Honorable Bob Mulcahy  
Alaska State Senate

The Honorable Al Osterback  
Alaska State House of Representatives

Keith Specking  
Office of the Governor

	<u>Region</u>	<u>Coastal Resource Districts</u> (Including cities and boroughs within regions generally defined by REAAs)
REAA 1	Northwest Alaska	* NANA Coastal Resource Service Area
REAA 2	Bering Straits	* Nome * Bering Straits Coastal Resource Service Area
REAA 3&4	Lower Yukon/ Lower Kuskokwim	Bethel * Yukon/Kuskokwim Coastal Resource Service Area
REAA 6&7	Nushagak-Bristol Bay Lake/Peninsula-Bristol Bay	Dillingham * Bristol Bay Borough * Bristol Bay Coastal Resource Service Area (potential)
REAA 8	Aleutian Islands	Unalaska King Cove Sand Point Aleutian Chain Coastal Resource Service Area (potential)
REAA 9	Pribilof Islands	Pribilof Islands Coastal Resource Service Area (potential)
REAA 10	Adak	Adak Coastal Resource Service Area (potential)
REAA 18	Northern Panhandle	* Yakutat * Haines (City) * Skagway * Juneau Pelican Hoonah * Sitka * Kake Northern Panhandle Coastal Resource Service Area (potential)
REAA 19	Southern Panhandle	* Petersburg * Wrangell * Klawock * Craig * Hydaburg * Ketchikan Gateway Borough Southern Panhandle Coastal Resource Service Area (potential)
REAA 20	Metlakatla/Annette	* Annette Islands Indian Reserve
REAA 21	Chugach	* Cordova * Valdez Prince William Sound Coastal Resource Service Area (potential)

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\* Program under way or completed

### Status quo

AS 46.40.120(b) allows the Commissioner of Community and Regional Affairs to consolidate two or more REAAs into one coastal resource service area after considering standards applicable to incorporation of borough governments, the likelihood that a borough would be incorporated within the area, or the extent of federally owned land and water within the area.

### HB 992

Under HB 992, AS 46.40.120(b) would be amended to allow the Commissioner of Community and Regional Affairs to not only consolidate two or more REAAs into one coastal resource service area, but also subdivide REAAs into separate coastal resource service areas according to geographic, cultural, or other features relevant to coastal management planning. Borough incorporation standards would also be considered, as would federal ownership of coastal land and water.

### Legislative alternative #1

Retain the language of HB 992, but restrict application of the subdivision provision to the Aleutian Chain (REAA 8), Northern Panhandle (REAA 18), Southern Panhandle (REAA 19), and Prince William Sound (REAA 21). Allow the Commissioner of Community and Regional Affairs to combine REAAs with subdivisions of other REAAs if such combinations satisfy standards mentioned in HB 992.

### Advantages

By using the REAA as the basic unit for planning in the unorganized borough, the present law does not create any new boundaries for delivery of government services.

HB 992 also uses REAAs as the basic unit of reference for coastal resource service areas.

First-class or home-rule cities of the unorganized borough might be more inclined to join coastal resource service areas smaller than the entire REAA in which they are located.

HB 992 would allow residents to plan for those areas which affect them most directly and with which they are most intimately familiar.

This provision would restrict application of the subdivision section to areas most likely to express interest in them.

### Disadvantages

The present law allows first-class and home rule cities (and second-class cities under certain circumstances) to develop coastal management programs separate from the region. Many cities do not see it in their best interest to join forces with an entire REAA. Consequently, coastal resource service areas are not being organized in several REAAs, yet many cities have legitimate interest in influencing development outside their corporate limits.

Indiscriminate subdivision of an REAA could produce fragmented coastal management programs.

The restriction may be unnecessary since coastal resource service areas have organized districts in most of the other coastal REAAs.

There may be constitutional questions about treating regions differently by specifying the geographic area rather than by specifying standards which must be met

## Legislative alternative #2

Retain the language of HB 992, but add the following provision:

If an REAA is divided and an organization election is called in one subdivision, an election will automatically be called in all other subdivisions of the REAA. If any one of the subdivisions elects to organize a district, all other subdivisions are automatically organized. The coastal management program from all subdivisions of an REAA must be coordinated from the outset and submitted simultaneously to enable the Coastal Policy Council and State Legislature to reach a reasonable conclusion about the compatibility of the plans. Although each subdivision would have its own board, there would be a seven-member regional oversight board with representation from the entire REAA (or combination of REAAs) on a one-man, one-vote basis.

## Administrative alternative

A coastal resource service area encompassing one or more REAAs could voluntarily organize itself in such a way that board members from one area would meet routinely with local people in that area and use full board meetings as a means to combine sectional ideas and make compromises if necessary.

## Advantages

All of the advantages of HB 992.

Greater coordination among plans than would be afforded under HB 922.

Local involvement in regional coastal management planning with as few new formal structures as possible.

No legislative change would be needed.

## Disadvantages

Certain areas may be prematurely coerced into preparing a coastal management program by virtue of actions taken by neighboring areas.

Any section could delay approval of the programs of other sections.

Creation of another layer of government would make the process more cumbersome and costly.

The representation and consequent voting strength of any given area on the seven-member service area board would be less in an entire REAA than in a subdivision of it.

# STATE OF ALASKA

## COASTAL POLICY COUNCIL

April 17, 1980

### LOCAL MEMBERS:

Donald Gilman,  
Lower Cook Inlet,  
Co-Chairman  
Stanley Anderson,  
Bering Straits  
Jon Halliwell,  
Northern Southeast  
Eben Hopson,  
Northwest  
Malcolm "Pete" Isleib,  
Prince William Sound  
John Nicori,  
Southwest  
Robert Sanderson,  
Southern Southeast  
Lidia Selkregg,  
Upper Cook Inlet  
Betty Wallin,  
Kodiak-Aleutians

The Honorable Arliss Sturgulewski, Chairman  
Senate Community and Regional Affairs Committee  
Alaska State Senate  
Pouch V  
Juneau, Alaska 99811

Dear Senator Sturgulewski:

The Alaska Coastal Policy Council, at its last meeting on March 18 and 19, 1980, took action on four items related to coastal management that will be of interest to the Legislature and in particular to the two Community and Regional Affairs Committees.

### STATE MEMBERS:

Frances Ulmer,  
Director of Policy  
Development &  
Planning,  
Co-chairman  
Robert Ward,  
Commissioner of  
Transportation &  
Public Facilities  
Charles Webber,  
Commissioner of  
Commerce &  
Economic  
Development  
Robert LeResche,  
Commissioner of  
Natural Resources  
Lee McAnerney,  
Commissioner of  
Community &  
Regional Affairs  
Ernst Mueller,  
Commissioner of  
Environmental  
Conservation  
Ronald Skoog,  
Commissioner of  
Fish & Game

Resolution 79-2 of the Rural Alaska Coastal Management Conference, requesting Continuation of Coastal Resource Service Area (CRSA) boards, was endorsed by the council with a request for implementation powers deleted. Resolution 79-6 of the Rural Alaska Coastal Management Conference requesting the creation of interior resource districts, was endorsed in its entirety by the council. Copies of the resolutions, as the council endorsed them, are attached for your information.

The council supports CSSB 348, CSSB 349, and CSHB 581, as described by Ms. Margo Waring, which deal with local governments and make provisions for unorganized boroughs, including the division of rural education attendance areas.

Finally, the council voted to request amendment of section 46.40.120 (b) of the Alaska Coastal Management Act as follows:

The Commissioner of the Department of Community and Regional Affairs may, after public hearings held in the area affected, consolidate two or more regional education attendance areas as a single coastal resource service area or may subdivide an existing regional education attendance area, according to geographic, cultural, or other features relevant to coastal management planning.

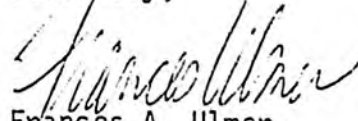
This proposed amendment is now before the House of Representatives as HB 992, currently pending in the House Community and Regional Affairs Committee.



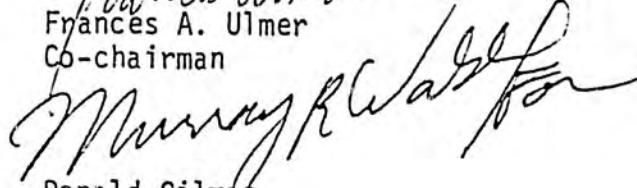
The Honorable Arliss Sturgulewski -2- April 17, 1980

If further information is required, please contact Murry Walsh,  
Coordinator of the Office of Coastal Management (465-3540).

Sincerely,



Frances A. Ulmer  
Co-chairman



Donald Gilman  
Co-chairman

Attachments

RESOLUTION 79-2 OF THE RURAL ALASKA COASTAL MANAGEMENT CONFERENCE

AS ENDORSED BY THE ALASKA COASTAL POLICY COUNCIL

ENTITLED: REQUESTING CONTINUATION OF COASTAL RESOURCE SERVICE AREA  
BOARDS.

WHEREAS, the Alaska Coastal Management Act of 1977 allows for the formation of coastal resource service areas in the unorganized borough for the purpose of developing coastal management programs, and

WHEREAS, the Department of Community and Regional Affairs provides funding and technical assistance so that coastal management plans may be developed and approved; and

WHEREAS, the coastal resource service area is formed after an election by the communities in the affected region; and

WHEREAS, the coastal resource service area boards are comprised of members from those various communities; and

WHEREAS, there is currently no provision for funding of coastal resource service area boards after the approval of their plans; and

WHEREAS, there is no mechanism for coastal resource service areas to monitor the implementation of their plans; and

WHEREAS, there is no mechanism for coastal resource service areas to monitor consistency determinations made by state agencies;

NOW THEREFORE BE IT RESOLVED that the Alaska State Legislature amend the Alaska Coastal Management Act of 1977 in order that the coastal resource service boards maintain their identity and be funded after approval by the Coastal Policy Council and the legislature of their coastal management plans.

RESOLUTION 79-6 OF THE RURAL ALASKA COASTAL MANAGEMENT CONFERENCE

AS ENDORSED BY THE ALASKA COASTAL POLICY COUNCIL

ENTITLED: REQUEST FOR CREATION OF INTERIOR RESOURCE DISTRICTS.

WHEREAS, the State of Alaska and the federal government have released oil and gas lease schedules for the next five years; and

WHEREAS, the State of Alaska and the federal government have enacted legislation providing for the formation of coastal resource districts; and

WHEREAS, the federal government and the State of Alaska provide funds for implementation of coastal zone management plans to the coastal districts; and

WHEREAS, the State of Alaska's five year schedule includes oil and gas lease sales in the interior of Alaska; and

WHEREAS, oil and gas development and pipeline construction in the Interior has the same impact as offshore development; and

WHEREAS, these interior areas have no legislative basis for creating district plans and no source of funding districts in the event of oil and gas lease sales and pipeline construction; and

WHEREAS, the Department of Community and Regional Affairs is allocated funds for the development of coastal districts,

Now, therefore, be it

RESOLVED, that the Department of Community and Regional Affairs search for a method of funding resource districts in the areas of the Interior which will be impacted by state oil and gas lease sales and pipeline construction, and

BE IT FURTHER RESOLVED that the Alaska State Legislature fund interim planning districts.

Original sponsor: State Affairs Committee

Offered: 4/30/80  
Referred: Rules

1 IN THE SENATE

BY THE COMMUNITY AND REGIONAL  
AFFAIRS COMMITTEE

2 CS FOR SENATE BILL NO. 562

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the formation of coastal resource  
7 service areas; and providing for an effective date."

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

9 \* Section 1. AS 46.40.120(a) is amended to read:

10 (a) Except as otherwise provided in [(b) OF] this section, each  
11 regional educational attendance area established under AS 14.08.031  
12 containing a part of the coastal area may be organized as a coastal  
13 resource service area.

14 \* Sec. 2. AS 46.40.120 is amended by adding a new subsection to read:

15 (d) For purposes of coastal zone management only, the commissioner  
16 of the Department of Community and Regional Affairs may, after public  
17 hearings held in the regional educational attendance area affected,  
18 divide an existing regional educational attendance area into no more  
19 than three coastal resource service areas according to geographic,  
20 cultural, economic, environmental, or other features relevant to coastal  
21 management planning; however

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

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

28 (3) a coastal resource service area formed before the effec-  
29 tive date of this Act may not be divided for coastal management planning

1 purposes.

2 \* Sec. 3. AS 46.40.190 is amended to read:

3 Sec. 46.40.190. COOPERATIVE ADMINISTRATION. (a) A city within  
4 the coastal area which is not part of a [AN ADJACENT] coastal resource  
5 service area shall be included [MAY INCLUDE ITSELF] for purposes of this  
6 chapter within an adjacent coastal resource service area unless [IF] its  
7 governing body, by resolution adopted by a majority of its membership,  
8 chooses to exclude [CONSENTS TO THE INCLUSION OF] the city from an ad-  
9 ja-cent coastal resource service area and a copy of the resolution is  
10 filed with the commissioner of the Department of Community and Regional  
11 Affairs.

12 (b) Nothing in this chapter restricts or prohibits cooperative or  
13 joint administration of functions between a municipality and a coastal  
14 resource service area organized under the provisions of this chapter  
15 upon initiation of a mutual agreement for the purpose. A city which  
16 elects to be excluded from an adjacent coastal resource service area  
17 under (a) of this section shall enter into a mutual agreement for co-  
18 operative or joint administration of functions with the coastal resource  
19 service area board from the adjacent coastal resource service area.

20 \* Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-  
21 070(c).

*Outback  
Spencer  
Woman  
Clark*

Introduced: 4/3/80  
Referred: Community & Regional  
Affairs

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 HOUSE BILL NO. 992

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the formation of coastal resource  
7 service areas; and providing for an effective date."

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

9 \* Section 1. AS 46.40.120(b) is amended to read:

10 (b) The commissioner of the Department of Community and Regional  
11 Affairs may, after public hearings held in the area affected, consoli-  
12 date two or more regional educational attendance areas as a single  
13 coastal resource service area or may divide an existing regional educa-  
14 tional attendance area into two or more coastal resource service areas  
15 according to geographic, cultural or other features relevant to coastal  
16 management planning

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

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

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

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Bill/Resolution No. HB 992

Title An Act relating to the formation of coastal resource service areas

Requested by House Community & Regional Affairs Committee Date 4/8/80

II. FISCAL DETAIL

Agency Affected Department of Community & Regional Affairs

Program Category Affected Development

Budget Request Unit(s) Affected Community Planning Services

EXPENDITURES (Thousands of Dollars)

	81 FY <del>78</del>	82 FY <del>79</del>	83 FY <del>80</del>	84 FY <del>81</del>	85 FY <del>82</del>	86 FY <del>83</del>
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME	0	0	0	0	0	0
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Administrative activities associated with HB 992 would include travel and advertising for public hearings. Costs could be absorbed by the Governor's FY 81 budget request (program area: Natural Resource Management Administration; BRU: Coastal Zone Management). Assuming the Governor's budget for that BRU is approved there should be no additional administrative costs associated with HB 992.

IV. DATE 4/8/80

PREPARED BY Veronica Clark

AGENCY Community and Regional Affairs

PHONE 465-4750

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)