

ALASKA LEGISLATURE COMMITTEE FILES 1997-1998 8672

9377 HOUSE RESOURCES

Bristol Bay CRSA

February 24, 1997

soliciting their input before making consistency recommendations.

The communities in our district are also grappling with the issue of borough formation and annexation. Toward this end, the Bristol Bay CRSA received ACMP special project funding a few years ago to prepare a supplemental borough feasibility study. The study provided more current information and was initiated to address many of the basic questions local residents have about borough formation.

The Bristol Bay CRSA strongly opposes HB 28. Because of the impact this bill will have on coastal districts and their communities, we also urge this bill be referred to the House Community & Regional Affairs Committee for additional hearings.

Thank you for considering our comments on this important matter.

Sincerely,



Alice J. Ruby, Chairperson
Bristol Bay CRSA Board

cc: Representative Ivan Ivan
Senator Lyman Hoffman
Governor Tony Knowles

February 22, 1997

Alaska State Legislature
House Resources Committee

Subject: HB 28 Repealing Alaska
Coastal Management Program

In response to the premature denial judgement of my partial (1½ minutes) oral testimony, I submit my following observations.

I consider HB 28 to be an intent to subjugate the regulations that entailed conservation of resources, environmental protection; and would effectively disregard the public's inherent rights of participation in the democratic process. There for I believe it was proper for me to present the legislatures laundry list of related regulation changes, to show a sum total of such irresponsibility and flagrant disregard.

I realize that for those, who self ordain their superior wisdom, it is hard to even superficially consider the rights of the lowly public. As I stated in my opening presentation, I believe it is probably a waste of the public's time, to expect consideration of their

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opinions. This was well substantiated by the repeated references to characterized rogues, and their cross pollination which may have been more directly criticized as misfits.

Any way, I am submitting a full copy of my intended comments, for your cutting and pasting; and which I trust you will censure as to your opinion of relevancy to the regulations subject to HB 28.

Text of my oral presentation intended for the House Resource Committee on February 22 1997; and which was rejected before listening and considering its full context.

[Although I wish to oppose HB 28, I believe it is probably a waste of the public's time to do so. I listen to Mr Therriault's presentation on 13 Feb and it was immediately apparent to me his intentions were to create a process of less responsibility and less cost for the exploitation of our resources

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and to restrict the public's input as he characterized as going on and on. Although he claimed no mind set on repealing Coastal Zone Management, it appears to me, and others listening that he was well schooled by his first guest. They both used the same little "box" illustrations in explaining their positions supporting less resource development responsibility. His other guest also repeated the same position.

I must point out that HB28 is in complete agreement with several other pending bills that present the same regulatory intent of fast track extraction of Alaska's valuable resources; with little resource conservation, environmental protection. It also reflects the lack of public trust responsibility by both the administration and the legislature.

Such a list of Bills include but are not limited to; HB 29 - reducing the proof of financial responsibility provided to DEC; HB 4 - limiting protection of anadromous fish populations; HB 23 restricting decisions precluding

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mining as an incompatible use for protection of renewable resources; HB 51 - making it more difficult to ensure water quality protection during resource extraction; SB 35 Restrict Fish and Game Boards and Agency's responsibility and authority from enacting regulations to manage the viability of these resources; unless specifically and individually approved by legislative instructions; HB 58 - Capping real and punitive damages at such low dollar values, that deep pocket industries will accept, and gamble the economic costs of responsible safeguards to the human, environment and resource protection. (I bet the oil, mining and insurance industries are hugging each other over that one. I sight these Bills to show the futility of these so called open public hearings. Profits now means more than the public's future.

Our Nation had the Robber Barons of the late 1800. In 1997 Alaska has the Administration and a Legislature that makes them look like pikers.

Because of these special privileges committed to the special interest and the

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lack of public trust responsibility, the future of All Alaskans and our Nation will suffer from a short changing of their constitutionally reserved ownership rights

Please included the above as part of the public hearing record on HB 28

Thank you

Dale Bondurant

HC1 Box 1197

Soldotna AK 99669

Copies to: Governor Tony Knowles

Attorney General Bruce Botelho

All concerned Alaskans and US

Citizens



A. Wainwright

February 14, 1997

Representative Scott Ogan
Co-Chair, House Resources Committee
State Capitol
Juneau, AK 99811

FEB 18 1997

and

Representative Bill Hudson
Co-Chair, House Resources Committee
State Capitol
Juneau, AK 99811

Dear Co-Chairs Ogan and Hudson:

On behalf of the 135 members of the Alaska Municipal League, I am writing to oppose the repeal of the Alaska Coastal Management Program (HB 28). We believe the ACMP provides a critical service to coastal communities with strong local involvement and helps facilitate development in these areas.

We do support, however, Representative Therriault's and the Division of Governmental Coordination's efforts to review the ACMP with a goal of streamlining the current process, such as elimination of inefficient multiple appeals.

According to the 1997 AML Policy Statement, Part IV, Land Use:

Section D. Coastal Zone Management

1. Local Control: The League supports continued and maximum local control and involvement in the development, management, and implementation of coastal planning and policies.

2. Agency Review of Local District Programs: The League supports legislation that would require all state and federal agency comments and recommendations be made by the agencies at least 60 days prior to conceptual approval by the local government of the district plan or any significant amendments to approved plans.

3. Financial Support: The League strongly supports a firm financial commitment to the Alaska Coastal Management Program.


4. Federal Approval: The League urges the State of Alaska to aggressively support local coastal management programs and local control of such programs during the review and approval of programs by the federal government.

5. Notice and Approval: The League urges the State of Alaska and the federal government to provide reasonable notice of changes to local coastal programs and communities impacted by such changes and to review submitted plans and proposed amendments in a timely fashion.

6. Appeals: The League urges the state appeals process for individuals and municipalities be more streamlined and standard.

We appreciate the opportunity to comment on HB 28 and offer suggestions for improvement of the existing ACMP. If you have any questions, please feel free to contact me or Kevin Ritchie at 586-1325.

Sincerely,



Kevin C. Ritchie
Executive Director

cc: Rep. Gene Therriault
Members, House Resource Committee



Regional Citizens' Advisory Council / "Citizens promoting environmentally safe operation of the Alyeska terminal and associated tankers."

In Anchorage: 750 W. 2nd Ave., Suite 100 / Anchorage, Alaska 99501-2168 / (907) 277-7222 / FAX (907) 277-4523

In Valdez: 154 Fairbanks Dr / PO Box 3089 / Valdez, Alaska 99606 / (907) 835-5957 / FAX (907) 835-5926

February 7, 1997

Honorable Gail Phillips, Speaker
House of Representatives
State Capitol
Juneau, Alaska 99801

RE: HB28 - Alaska Coastal Management Program

Dear Speaker Phillips:

The Regional Citizens' Advisory Council of Prince William Sound (RCAC) is an independent non-profit corporation whose mission is to promote environmentally safe operation of the Alyeska terminal and associated tankers. Certified as an alternative council under the Oil Pollution Act of 1990, RCAC's work is guided by its contract with Alyeska, and OPA 90. RCAC's 18 member organizations include communities impacted by the 1989 Exxon Valdez Oil Spill, as well as commercial fishing, aquaculture, Native, recreation, tourism and environmental interests.

RCAC is very concerned about the potential impact of HB 28, a bill proposing to do away with the Alaska Coastal Management Program (ACMP). The ACMP provides a voice for local and state participation in decisions affecting coastal areas, and its loss would negatively affect the participation of coastal districts and citizens in our region. This bill affects the citizens in Alaska's coastal communities by effectively unplugging them from the public process. We urge you to give the bill at least one additional referral before it is considered by the full House.

One appropriate additional referral would be the Community and Regional Affairs Committee. This would give the public additional opportunity to examine and comment on what the bill proposes and its impact on coastal communities.

Thank you for your consideration of this request.

Sincerely,

Louis "Tex" Edwards, President
PWS Regional Citizens' Advisory Council

cc: Governor Tony Knowles
Representative Norman Rokkeberg
Representative Bill Hudson
Cook Inlet RCAC

Representative Pete Kelly
Representative Richard Foster
Representative Scott Ogan
Paul Richards, APSC

Thank you for your consideration of this request.

Sincerely,



Louis "Tex" Edwards, President
PWS Regional Citizens' Advisory Council

cc: Governor Tony Knowles
Representative Norman Rokeberg
Representative Bill Hudson
RCAC Council and Member Entities
Representative Pete Kelly
Representative Scott Ogan
Cook Inlet RCAC
Paul Richards, APSC

JEFFREY D. CURRIER
BOROUGH MANAGER

P.O. Box 189
NAKNEK, ALASKA 99633



TELEPHONE
(907) 246-4224
FAX
(907) 246-6633

Bristol Bay Borough

NAKNEK, SOUTH NAKNEK, AND KING SALMON, ALASKA

January 12, 1997

The Honorable Carl Moses
House of Representatives
Alaska State Legislature
State Capitol, Mail Stop 3100
Juneau, Alaska 99801-1182

Dear Representative Moses,

As the Representative from House District 40, and a member of the House Finance Committee, Bristol Bay Borough appeals to you for support of the Alaska Coastal Zone Management Program, the demise of which has been proposed by Representative Therriault in House Bill 28.

Bristol Bay Borough has been a part of the A.C.M.P. for approximately 15 years. In addition to direct financial support, the Borough receives the benefit of diverse expert-opinions on development and rule-making issues affecting our coastal district from state and federal agency specialists. These opinions are provided to us in a focused and coordinated manner through the structured review process organized by the Division of Governmental Coordination. The borough could not afford to replace the services of habitat biologists and other specialists to review every individual project proposal. The net result of a less organized approach to project review would be less information on the local level.

On the other side of the coin, the A.C.M.P. provides local districts with the opportunity to develop local standards, based on knowledge of local conditions, and to present those standards in a formal manner that is acknowledged and taken into consideration by state and federal regulatory agency representatives as well as by private developers. In other words, the A.C.M.P. provides a two-way street of information that would be very costly for every individual agency to try and recreate on its own. I also sincerely believe that a more piecemeal approach to gathering required permit information on project proposals would cost private developers much more than it currently does, both in money and frustration. It would certainly render small local government offices, such as Bristol Bay Borough, much less able to assist them in this effort.

Bristol Bay Borough re:
A.C.M.P. Funding
February 12, 1997

Attached please find Bristol Bay Borough Planning and Zoning Commission Resolution 97-3, urging legislative support of the Alaska Coastal Zone Management program, adopted and approved by commissioners at their regular meeting last evening (February 11th). We appreciate your time and consideration on this matter. Please feel free to call me if I can be of any assistance.

Sincerely,



Cynthia Zuelow-Osborne
Administrative Assistant/
Coastal District Contact

Copy: Mayor Edwin Anderson,
Bristol Bay Borough

Manager Jeffrey Currier,
Bristol Bay Borough

Representative Mark Hanley, Co-Chair
House Finance Committee

Representative Gene Therriault, Co-Chair
House Finance Committee

Representative Eldon Mulder, Vice-Chair
House Finance Committee

Representative Richard Foster
House Finance Committee

Representative Pete Kelly
House Finance Committee

Representative Vic Kohring
House Finance Committee

Representative Terry Martin
House Finance Committee

Representative John Davies
House Finance Committee

Bristol Bay Borough re:
A.C.M.P. Funding
February 12, 1997

Copy, continued:

Representative Ben Grussendorf
House Finance Committee

Representative Gary Davis
House Finance Committee

Representative Bill Hudson, Co-Chair
House Resources Committee

Representative Scott Ogan, Co-Chair
House Resources Committee

Representative Beverly Masek, Vice-Chair
House Resources Committee

Representative Ramona Barns
House Resources Committee

Representative Fred Dyson
House Resources Committee

Representative Joe Green
House Resources Committee

Representative Bill Williams
House Resources Committee

Representative Irene Nicholia
House Resources Committee

Representative Reggie Joule
House Resources Committee

RESOLUTION 97-3

A RESOLUTION OF THE
BRISTOL BAY BOROUGH PLANNING AND ZONING COMMISSION
URGING CONTINUED SUPPORT OF THE ALASKA COASTAL ZONE MANAGEMENT
PROGRAM BY MEMBERS OF THE ALASKA LEGISLATURE

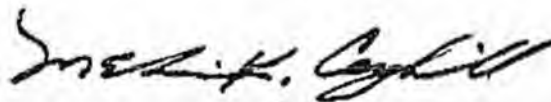
WHEREAS, the Alaska Coastal Zone Management Program is funded by federal grant monies which are redistributed by the State of Alaska to state agencies and local governments, including the Bristol Bay Borough; and

WHEREAS, the Alaska Coastal Zone Management Program allows for the consideration of local standards when federal and state agencies make permit decisions or propose development actions within the jurisdiction of a local Coastal District; and

WHEREAS, the Bristol Bay Borough has incorporated its Coastal District Guidelines into its local permit review process and believes that the services provided by the Division of Governmental Coordination are essential for the continued effectiveness of an informed and coordinated approach to the review of development projects which affect Alaska's Coastal Zone and the Bristol Bay Borough Coastal Management District;

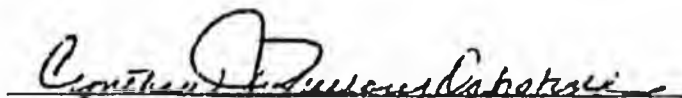
NOW, THEREFORE, BE IT RESOLVED that the Bristol Bay Borough Planning and Zoning Commission urges members of the Alaska State Legislature to support continued funding of the Alaska Coastal Zone Management Program by defeating proposed House Bill Number 28.

PASSED AND APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE
BRISTOL BAY BOROUGH, ALASKA this 11th day of February, 1997.



Chairperson

ATTEST:



Recording Secretary



Alaska Planning Association

A Chapter of the American Planning Association

H. Maniche
Keep w/Ala

FEB 04 1997

RESOLUTION OF THE ALASKA CHAPTER OF THE AMERICAN PLANNING ASSOCIATION

LEGISLATIVE COMMITTEE

Resolution 97-1

A RESOLUTION OPPOSING HOUSE BILL 28; AN ACT REPEALING THE ALASKA COASTAL MANAGEMENT PROGRAM (ACMP) AND THE ALASKA COASTAL POLICY COUNCIL, AND MAKING CONFORMING AMENDMENTS BECAUSE OF THOSE REPEALS.

WHEREAS, The Board of Directors and Legislative Committee on behalf of the membership of the Alaska Chapter of the American Planning Association have reviewed the contents of House Bill 28 sponsored by Representative Therriault and are opposed to the repeal of the ACMP; and,

WHEREAS, The Alaska Chapter of the American Planning Association recognizes that the Alaska Coastal Management Program is a voice for local and state participation in decisions affecting coastal areas; and,

WHEREAS, The ACMP gives State and local governments a more equal partnership with the federal government and, the ACMP requires cooperation among those involved in the development of Alaska's coastal resources, and the ACMP gives coastal communities a seat at the table when state or federal agencies make permit decisions, and the ACMP brings regulators and applicants together to resolve project issues, and the ACMP encourages early consultation among communities, industry, Native and private interests, agencies, and the public; and,

WHEREAS, The policies of the ACMP reflect a balance of the need for economic development with the need for resource management and the ACMP is the only state-level regulatory program containing such a balance; and,

WHEREAS, The ACMP consistency system operates according to strict agency action regulations assuring timely responses to developers while at the same time providing resolution of issues among state agencies and

local government in a rapid manner; and,

WHEREAS, The ACMP consistency authority is one of the few tools available for the State of Alaska to influence federal decision making that affects Alaska resources, an upcoming example being the federal process now underway which could inhibit development of the national petroleum reserve; and,

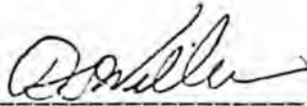
WHEREAS, The ACMP facilitates development permit coordination to the benefit of the developer, community, region and state; and,

WHEREAS, The Alaska Chapter of the American Planning Association finds the impact on Alaskan communities and development projects expected by the repeal of the ACMP to be unacceptable.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS AND LEGISLATIVE COMMITTEE OF THE ALASKA CHAPTER OF THE AMERICAN PLANNING ASSOCIATION:

1. That House Bill 28 should be withdrawn by the sponsor(s).
2. House Bill 28 should be, at a minimum, referred additionally to the House Community and Regional Affairs Committee for consideration;

Legislative Chair



Date 2/4/97



CITY & BOROUGH of YAKUTAT

P.O. Box 160
Yakutat, Alaska 99689
Phone (907) 784-3323
Fax (907) 784-3281

February 19, 1997

Chairmen of House Resources Committee
Representative Scott Ogan
Representative Bill Hudson
Alaska State Legislature
State Capital, Mailstop: 3100
Juneau, AK 99801-1182

Dear Representatives Ogan and Hudson:

As the Mayor of the City and Borough of Yakutat (CBY), I appeal to you to oppose House Bill 28: the proposed act to repeal the Alaska Coastal Management Program (ACMP). The CBY adopted a coastal management plan in 1982, and submitted a revised concept approved draft plan to DGC for review in January 1997. The Borough also adopted a revised comprehensive plan in 1994.

The opportunity for local communities to comment on an equal footing with state agencies is reason enough to retain the ACMP coordination and project review processes. During the past year Yakutat benefited from a properly executed consistency review process. The Delta Western Fuel Facility and the Yak-Tat Kwaan Inc Fish Processing Plant were notable examples. Even though not yet a part of the borough, the CBY commented on projects in the Icy Bay area that have economic development, coordination, and other important relationships to the CBY.

The Coastal Policy Council (CPC) and the Division of Governmental Coordination (DGC) are not structured to be powerful separate entities nor are they intended to be dominated by any agency or interest. My impression is that in the past year DGC continued to mature as a planning organization: to identify the intent behind the law and to coordinate the complexity of development and resource interests.

If anything the legislature should evaluate whether the CPC and DGC are following their enabling legislation, should protect coastal management participants from state agencies and other entities that have narrowly defined missions, and if necessary should provide CPC and DGC additional direction.

Respectfully submitted,



Daryl R. James, Mayor
City and Borough of Yakutat

cc: Senator Jerry Mackie
Representative Albert Kookesh
Representative Gene Therriault
Director Diane Mayer, DGC

Date Referred to Committee: January 13, 1997

FURTHER REFERRALS:

Finance

Date of Committee Action: 3/3/98

The RESOURCES Committee considered:

HB 28

HOUSE BILL NO. 28

REPEAL COASTAL ZONE MGMT PROGRAM

"An Act repealing the Alaska Coastal Management Program and the Alaska Coastal Policy Council, and making conforming amendments because of those repeals."

recommends it be replaced with the following committee substitute _____

the same title
 a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal note(s) Office of Gov; ADF+G; Dept. of Law; DGRA; DEC

fiscal note(s) _____

zero fiscal note(s) _____

zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS		DP	DNP	NR	AM
<i>Paul Olson</i>	<i>Dyson</i>			<input checked="" type="checkbox"/>	
<i>William Williams</i>	<i>Williams</i>				<input checked="" type="checkbox"/>
<i>Joseph Barnes</i>	<i>Barnes</i>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
<i>Beverly Masek</i>	<i>Masek</i>			<input checked="" type="checkbox"/>	
<i>Scott Olson</i>	<i>Olson</i>	<input checked="" type="checkbox"/>			
<i>Bill Hudson</i>	<i>Hudson</i>				<input checked="" type="checkbox"/>
<i>Wendy Nicholas</i>	<i>Nicholas</i>		<input checked="" type="checkbox"/>		

CHAIR'S SIGNATURE Bill Hudson

Scott Olson

**Alaska Coastal Policy Council
Resolution 97-2**

WHEREAS, the public members of the Coastal Policy Council introduced this resolution and requested support of the entire Council in its adoption;

WHEREAS, the publicly elected members of the Coastal Policy Council represent all regions of the State (from Barrow to Ketchikan);

WHEREAS, the Alaska Coastal Management Program (ACMP) provides a voice and opportunity for local coastal communities to participate in decisions affecting their areas;

WHEREAS, the ACMP provides local governments and communities a more equal partnership and voice when dealing with State and federal agencies;

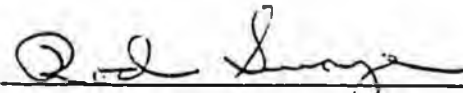
WHEREAS, the ACMP helps to facilitate and streamline the review and approval of proposed development projects in coastal areas;

WHEREAS, the ACMP attracts approximately \$2.7 million in federal grant moneys which are distributed to local governments and State agencies;

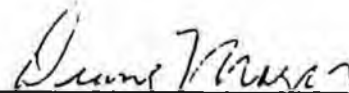
WHEREAS, the ACMP has been in existence since 1979 and has always been viewed as providing very valuable service and assistance to local coastal communities;

NOW THEREFORE, BE IT RESOLVED that the Coastal Policy Council opposes House Bill No. 28 and any effort to diminish the effectiveness of the ACMP.

Date: January 23, 1997



Rod Swope, Public Co-Chair
Alaska Coastal Policy Council



Diane Mayer, State Co-Chair
Alaska Coastal Policy Council

Attest: _____



CITY OF VALDEZ, ALASKA

RESOLUTION NO. 97-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, OPPOSING HOUSE BILL 28 WHICH WOULD REPEAL THE ALASKA COASTAL MANAGEMENT PROGRAM AND DISESTABLISH THE ALASKA COASTAL POLICY COUNCIL

WHEREAS, the City Council has reviewed the contents of House Bill 28 sponsored by Representative Theriault, which bill would repeal the Alaska Coastal Management Program; and

WHEREAS, the Alaska Coastal Management Program provides local governments and citizens with a more equitable share of government authority when dealing with state and federal agencies; and

WHEREAS, the Alaska Coastal Management Program helps to facilitate and streamline the review and approval of proposed development projects in coastal areas, and

WHEREAS, the Alaska Coastal Management Program has been in existence since 1979 and has been widely viewed as a valuable service and effective voice for coastal communities; and

WHEREAS, the City of Valdez receives annual federal ACMP funds to support local coastal planning efforts and participation in major project reviews such as the Petro Star Refinery and Valdez Terminal Oil Discharge Prevention and Spill Contingency Plans and also received \$10,000 to update the city's geographic information system maps.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, that:

Section 1. The City of Valdez opposes House Bill No. 28 and any other effort to diminish the effectiveness of the Alaska Coastal Management Program.

Section 2. The City of Valdez respectfully urges the sponsor of House Bill No. 28 to withdraw the bill.

Section 3. If the bill is not withdrawn, the City of Valdez respectfully urges that it be referred to a subcommittee of the House Resources Committee for further analysis and recommendation.

Resolution No. 97-17
Page 2

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ,
ALASKA, this 18th day of February, 1997

CITY OF VALDEZ, ALASKA

Dave Cobb
Dave C. Cobb, Mayor

ATTEST:

Sheri L. Caples
Sheri L. Caples, CMC, City Clerk



**CITY OF HOONAH**

P.O. Box 380 • Hoonah, Alaska 99829 • (907) 945-3663 • FAX (907) 945-3445

February 20, 1997

House Resources Committee
Att: Hans Diedig

Re: HB 28 - Bill to Repeal the Alaska Coastal Management Program

I listened to the testimonys given on February 14, 1997 regarding the Coastal Management Program and wondered if this was not another move by special interest groups such as large mining entities to break down the barriers they are required to go through to get necessary permits for their operations. Diane Mayer's testimony was well presented touching on the needs of the small rural communities to address development within their City and Coastal boundaries. This is not a program unique only to Alaska, but is representative of every State involved in Coastal Development. Is this not the reason the Federal Government supports this program by making monies available to operate it along with State General Fund monies.

You say permitting can be done through another lead agency. This will certainly not be done at the present staff level as the City of Hoonah has experienced several situations where a Department was not able to address a given situation due to staff limitation. I know of one situation where we have been without a proper permit since the late 80's. Several calls have not accelerated this action due to the inability of the present staff to handle the current case loads.

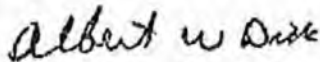
The City of Hoonah has just recently had their Coastal Management Program revised and adopted by the Alaska Coastal Policy Council. It is in the process of being approved at the Federal Level. The City has put in over two years of time developing this program. This is important to us because most of the City boundaries lies within the Coastal jurisdiction. As a small community with limited boundaries it also gives us the opportunity to address situations outside of the area. Hoonah is a predominantly native community that values it's traditional and subsistence rights. Like most small communities we are experiencing a lot of economic and social changes. The Coastal management program has been very much a part of our process. Because of the staff support provided through DGC we are able to address these issues. We do not have a big staff of Planners or lawyers or qualified individuals that can handle these situations in house. We just have one part time Planner and a Planning Commission that spend a lot of time dealing with the issues.

The minimal amount of money we receive to help fund the Planner's position although appreciated is really insignificant to cover the real cost of addressing these situations without help at the State level.

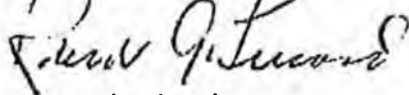
I can go on and on citing different reasons to keep the program intact as it is. But since I am unable to be in Hoonah on Saturday to testify at the hearing I wish to have the above read into the record.

The City of Hoonah strongly urges the House Resource committee or any committee addressing House Bill 28 to kill this bill and retain the Coastal Management Program, Department of Governmental Coordination and other support staff in the Department of Community and Regional Affairs

Sincerely,



Albert W. Dick, Mayor



Robert G. Pinard
Ass't. Admn./Planner

cc:Mail for: Representative Bill Hudson

Subject: HB 28 -- Repeal of the Alaska Coastal Management Program
From: 73362.1710@CompuServe.COM ("Robert L. Baldwin") at CC2MHS1 2/22/97 2:45 PM
cc: Representative Irene Nicholia at JNU_CAPITOL
To: Representative Scott Ogan at LAA_TRANS
cc: Representative Reggie Joule at LAA_TRANS
cc: Representative Bill Hudson at JNU_CAPITOL
cc: Representative Beverly Masek at LAA_TRANS

The Friends of Cooper Landing Board of Directors strongly opposes HB 28. This message is forwarded for consideration at the February 22, 1997 meeting of the House Resource Committee.

Repeal of the Alaska Coastal Management Program would have a very serious impact on the Kenai River and Cooper Landing. Keeping the river healthy and not allowing it to be further degraded is of critical importance to our tourist-based economy. Careful development can occur without affecting the health of the river, but knowledgeable local oversight is necessary. This community puts a great amount of effort into thoughtful land use planning, in cooperation with the Kenai Peninsula Borough, and State and Federal Agencies.

The Alaska Coastal Management Program provides for coordination of development along the river. Without this program, there is no mechanism to allow small communities like Cooper Landing to have a say in development matters that directly affect our livelihoods the quality of our lives and ultimately our futures.

Beyond Cooper Landing, the Kenai Peninsula's economy will also be negatively influenced by any decline of the Kenai River. Further, when it is realized that land use planning activities in all Alaskan coastal communities would be disenfranchised by HB 28, its true potential impact becomes clear.

Please do not support this bill.

Thank you,

Bob Baldwin, President
Friends of Cooper Landing
P.O. Box 815
Cooper Landing, Alaska 99572

February 22, 1997

Thank you very much for inviting me to today's 1 P.M. House Resources Committee public hearing on HB 28. I am unable to attend the teleconference at the Kenai LIO.

I am opposed to HB 28, the repealing of the Alaska Coastal Management Program, and ask all who represent our coastal areas and their vast natural resources to oppose HB 28 also.

I live in Cooper Landing, a small unincorporated village, located in the headwaters of the Kenai River. Tourism is the economic life blood of this area and tourism only exists because of our clean waters, fresh mountain air and the natural bounties that those produce. The waters of the Cooper Landing Area produce 20 to 30 percent of Kenai River sockeye salmon and thus are a major source of the Upper Cook Inlet commercial fisheries harvest.

Because we live in an unincorporated area we dependent on the Kenai Peninsula Borough for government. Through the Kenai Peninsula Borough Coastal Management Program local citizen can interact with Federal, State and KPB managers to best manage our coastal resource for the benefit of our area. If we lose the Coastal Management Program we will lose a large part of our ability to effect Federal and State decisions and those managers will lose the vast local knowledge that local citizens and governments bring to the table.

I want to thank you for this opportunity to participate and ask you to listen to the voices of Alaska's coastal people. Please leave the Alaska Coastal Management Program intact for the benefit of all Alaskans.

Thank You,



Bill Stockwell
P.O. Box 721
Cooper Landing, AK 99572

Phone and Fax: (907) 595-1540

nable argument from ration. But Fairbanks in the country on al-Commissioner Brown some events should be

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NEWS

INSIDE

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—REUTERS

Therriault goes after coastal program

Says office is duplicative, cumbersome

State Rep. Gene Therriault, R-North Pole, is trying to kill off Alaska's Coastal Zone Management program. With stiff opposition from the governor's office, he might have to look at overriding a veto to do it.

CZM is a kind of national planning and zoning law sponsored by the federal government for coastal areas.

The principle behind CZM is based on the perception that much of our ecologically sensitive coastline is thinly inhabited and has no potent municipal or regional government to deal with powerful development corporations or the U.S. Army Corps of Engineers when they focus on a project.

The CZM creates regional councils coordinated through a staff in the governor's office. The federal government pays about half the costs of the operation, and the state pays the other half. It basically covers activities within 50 miles of the coast.

The original legislation to establish CZM back in the 1970s defined "coastal zone" in such a way that it would have included all of Alaska right up to the summit of Denali, clearly revealing an intent in the program's founders to be as meddlesome as they possibly could.



Fred Pratt

Therriault is sponsoring HB 28, a simple repeal of the program. The bill had its first hearing in the House Resources Committee Feb. 13, and it is scheduled for another hearing on the Legislature's teleconference system at 1 p.m. tomorrow at the Fairbanks Legislative Information Office.

Therriault told the committee last week the bill grew from his efforts to streamline the bureaucracy and cut budgets in the Department of Natural Resources. He added that Congress mandated changes and expansion of the program in 1990, actions that are still pending, so it will likely cost even more money in the future.

"A number of state and federal actions have diminished the need for the program," Therriault told the committee. "My starting point is to challenge the mere existence of the program."

He cites the Federal Clean Air Act, Clean Water Act, wetlands protections and other laws he says now offer much the same protections as CZM, which creates unnecessary duplication of effort and stretches the permit process out over a longer time.

Therriault also pointed to the quarterly reports the Legislature gets from the Department of Law on current litigation. "I'm struck by the number of cases involving determinations of Coastal Policy Council," he noted. "One involves a trapping cabin in north-west area. The permit was granted, an appeal was made to Coastal Policy Council and the matter is now in court."

The action against the cabin was provoked by "a desire in that area of the state to restrict people from hunting in that area," Therriault said. The CZM is being utilized by people wishing to restrict hunting and fishing activities, which is the job of the Department of Fish and Game through the process that agency has established.

Therriault also said many district councils simply adopted all regulations of a particular department, meaning that in the CZM review is simply redundant or unnecessary conflict in whose interpretation of regulations are correct.

Critics also point out that the regional councils appointed and administrated by the governor's office become a breeding ground for tendentious special interests. They are not as open to broad public influence as a real municipality or local planning board, and they work for Juneau paid for in part by money from Congress.

Diane Mayer, director of Division of Government Coordination in governor's Office of Manage-

ment and Budget, told the committee that Gov. Tony Knowles strongly opposed the bill. She stressed the need for CZM to coordinate actions by state agencies in a way that gives the state and local communities a strong role in federal projects.

Mayer offered contradictory arguments to keep CZM. She said it's no trouble for developers because it almost always approves any applications, but then said it's important because it gives local residents valuable leverage over development projects.

But the witness list was stacked against her last week.

Harry Noah, who headed DNR under former Gov. Walter Hickel, told the committee that this valuable coordinating function can be carried on without the CZM program.

Noah emphasized that federal dollars may pay half the cost of the CZM staff, but there's also a cost to state agencies for "a tremendous effort within the agencies to deal with the program."

"All the energy spent on this issue is a hidden cost, cumulatively very large, and also a cost to the applicant," Noah stressed.

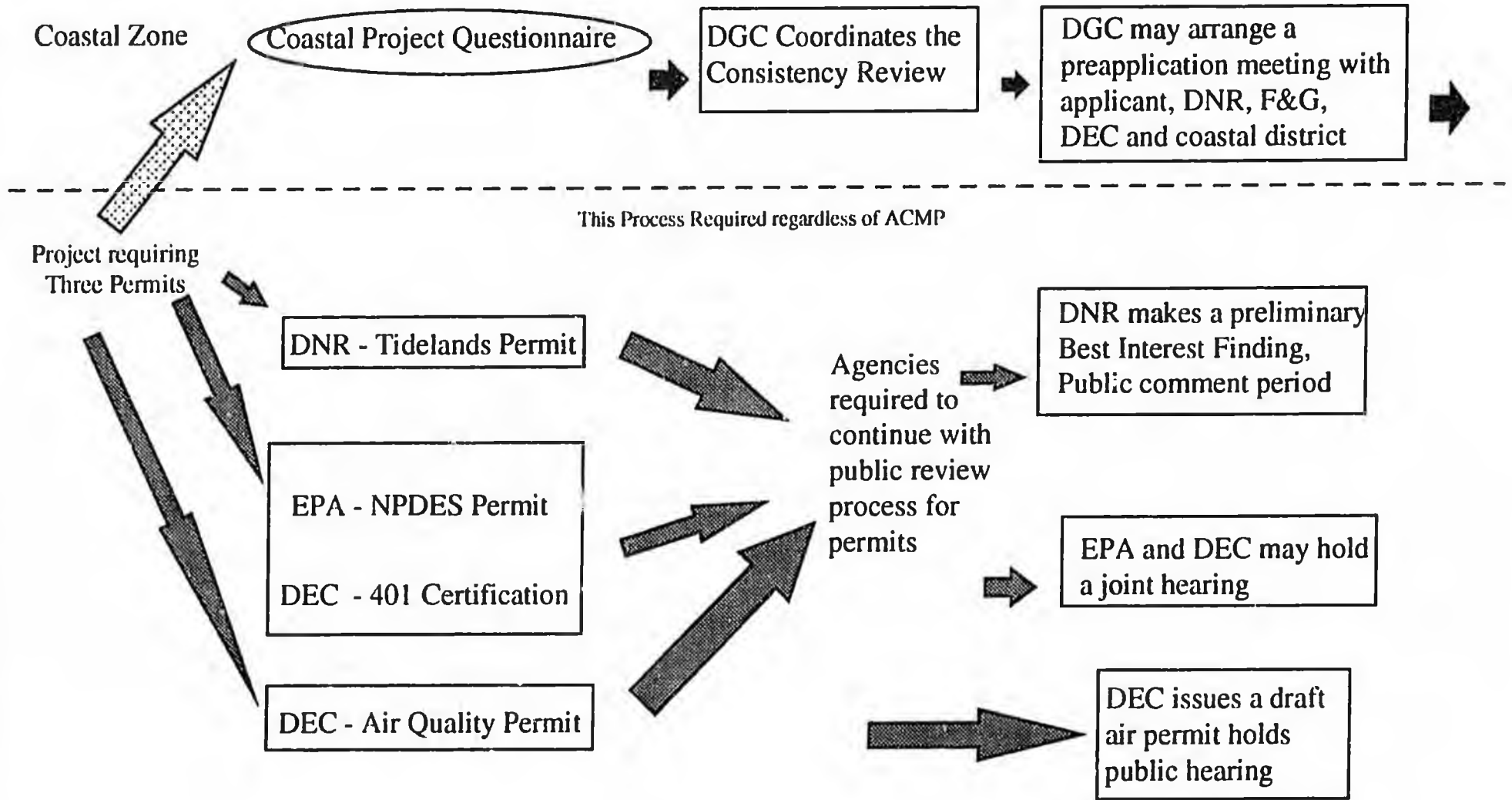
Therriault's bill was also supported by a former co-chair of the statewide CZM Alaska Coastal Policy Council.

The testimony last week was by invitation only, but the hearing tomorrow will be open to all.

Fred Pratt, a Fairbanks freelance writer, is a long-time reporter and observer of Alaska politics.

2/21/97 Fairbanks Daily Newsminer

Hypothetical permit review process



50 Day review begins, may be stopped at day 25 if there is a need for additional information



DGC, DNR, DEC, F&G, local district, and special interest groups meet (F&G participates through ACMP and given due deference for Habitat issues)



Possible project stipulations placed upon the permit in order for project to be determined consistent:

- Mitigation for potential habitat impacts - moose population studies or suspension of project during calving season
- limitations on air emissions proposed by the district or an agency other than DEC
- controls on land clearing activities



AGENCIES issue final permit decisions



ACMP meetings take permit writers away from the regular permit process to deal with ACMP issues

Agencies, district or applicant may disagree with stipulations or determination - appeal to director level

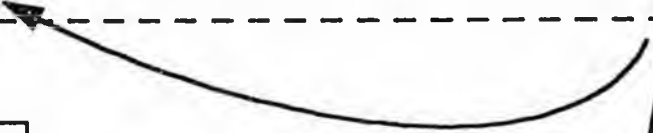
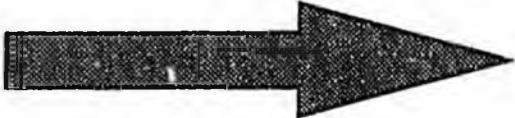
May elevate to the Commissioner level, resource agencies' Commissioners spending time on issues that are more of a local concern

Petition to Coastal Policy Council, eligible applicants:
• community members
• agencies
• applicant

Possible remand back to agencies

Administrative appeals - Elevations to the director and Commissioner

Superior court



COASTAL MANAGEMENT

- Short of elimination of the federal CZM law, consistency determinations will be required for development in Alaska--so who should do the consistency review?
- With almost 15 years experience coordinating CZM consistency reviews, under AS 44.19.145 (a) (11), DGC has shown it is the superior agency for coordinating the consistency process.
- DGC can assist large and small developers with CZM review.
- At the applicant's request, DGC should do project review and coordination, even for activities and projects outside the coastal zone.
- ~~Eliminate any and all petitions (appeals), to the Coastal Policy Council.~~
- Review the functions at DGC and prioritize in terms of value.
- Eliminate all non-critical tasks at DGC, regardless of funding sources.
- There seems to be broad support for the proposition that DGC is the superior agency to conduct the consistency review for projects.
- Projects and project approval matters to developers, not individual permits.
- Elimination of the Coastal Policy Counsel may increase administrative accountability at DGC and save money.
- At this point in time, it is worthwhile to consider elimination of all the coastal management planning positions and other positions that do not directly support consistency review. The agencies and commissioners working through the DGC can do all necessary planning and adoption of standards. Adoption of this model should increase the accuracy of standards and insure that standards are relevant to Alaska conditions.

- Once a project consistency determination is rendered by DGC, all agencies should issue necessary permits within the time periods required under 6 AAC 50.

- Appeals stemming from a project should only be allowed to the Superior Court and only within 30 days of the consistency determination (eliminate appeals from individual agencies, if possible).



- Provide necessary software and hardware to municipalities, industry groups, and environmental organizations (also through Leg. Info. Offices), so that interested parties can easily comment on pending projects. It's obvious by now that an electronic coastal "network" is more useful than individual governmental coastal districts, not to mention cheaper. Establish an electronic network for government workers in cities, boroughs and rural regions, even while phasing out funding for these workers. If the network is intact when the positions are eliminated, the more savvy governments will still find a way to get legitimate comments into DGC through the network.



- The RSA from DGC to the Department of Law should be scrutinized. If the RSA is open ended, it's subject to abuse, even if it passes through federal funds. The coastal management RSA for legal services ought to be a draw down with payment for services rendered. This will increase accountability and perhaps allow for allocation of federal funds into more productive uses than legal services.

- Any request for DGC or other agencies to keep programmatic receipts (and charge applicants for reviewing projects), ought to be scrutinized carefully. Why should developers, be they large or small, pay for coordination of a governmental response? If the government needs technical or arcane information, they can probably require outsourcing at the applicants expense without the program receipt authorization (see.e.g., AS 44.19.145 (b) (3)).



- Get Community and Regional Affairs out of CZM. The only thing that really matters for a successful CZM program in Alaska are adoption of Alaska specific standards and coordination of project review through DGC. Let the new electronic network pick up the local governments concerns. The same network can be used to

gather information for the Commissioners and Governor before adopting or changing standards.

- Get rid of unnecessary DGC administrative positions (e.g., Admin. Officer), that do not directly support Project Analysts. The DGC administrative functions can be completed by someone else at OMB or the Office of the Governor. It really is time that agencies started doing more with less in areas like administrative services. The logistical tail of the bureaucracy is too long.
- Take a hard look at ANILCA coordination via DGC as well as Alaska Land Use Council (if that is still intact). It may or may not be good a good use of General Fund moneys to support ANILCA and AK Land Use Council reviews.

DRAFT

A COMPARISON OF COASTAL ZONE MANAGEMENT
AND PERMITTING PROCEDURES IN WEST COAST STATES:

Alaska, California, Oregon and Washington

OFFICE OF
MANAGEMENT & BUDGET
MAR 16 1993
GOVERNMENTAL
COORDINATION

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EXECUTIVE SUMMARY

The purpose of this paper is to examine the coastal zone management programs of California, Oregon, and Washington and to compare these programs with the Alaska Coastal Management Program. In particular, the paper focuses on the state's permitting procedures for proposed projects in the coastal zone.

- Coastal management programs are in place in all four states.
- The coastal zone is now widely recognized in law and practice as an important place deserving of protection due to high resource values, although the width of the coastal area subject to planning varies greatly by state.
- All four states delegate substantial planning and implementation authority to local coastal governments.
- The states' programs differ greatly in terms of permitting processes and the distribution of decision-making authority between State and local government. Local governments with approved programs or plans in California, Oregon and Washington are delegated permitting authority; local governments with approved programs in Alaska participate as a reviewer in the state coordinated process.
- Permit review processes and requirements vary greatly among the four states. In comparison with the other coastal states, Alaska has an efficient and expedient permit review process. Alaska is the only state that offers a "one-stop shopping" approach to permitting, which greatly simplifies the permitting for applicants. In other states, reviewing agencies and local governments often conduct independent reviews according to their own timelines and procedures. Alaska provides a systematic process to coordinate these separate authorities with one agency, the Division of Governmental Coordination, designated to mediate conflicts and render decisions. The review process also provides for easy access and participation in the decision process by applicants.

- Examining the outcome of permit review is one method to ascertain how development and environmental protection concerns are balanced. In all four states, relatively few permits are denied, but the issuance of permits with conditions is quite common. In most instances, permit conditions are required to reduce negative effects of the specific projects being proposed.
- Alaska provides permitting services with no direct charge to applicants. In other states, a fee is normally charged to defray the costs of processing a permit application. Actual costs vary depending on the activity and proposed location.
- All states have implemented procedures to simplify the permit process. Procedures include waivers for activities with minimal impacts, reduction of permit paperwork and interagency meetings.

Introduction

The purpose of this paper is to examine the coastal management programs of California, Oregon, and Washington, and to compare these programs with the Alaska Coastal Management Program. In particular, the paper focuses on the State's permitting procedures for proposed projects in the coastal zone.

A programmatic comparison of this type is of interest for several reasons. The coastal zone is now widely recognized in law and practice as an important place deserving of protection due to high resource values. It is these same high resource values that provide numerous opportunities for resource development and, hence, the potential for conflict between protection and development interests. Examining a state's coastal program provides insight as to how resource development is balanced with resource protection.

The permitting process, in particular, is of interest in examining this balance. As the complex of state, federal and local environmental regulations has multiplied over the last two decades, developers have increasingly faced problems of confusing and duplicative permit requirements and delays in receiving permit approval. How well a state can eliminate regulatory overburden and streamline its review process while simultaneously providing necessary resource safeguards, provides one measure of success.

Another variable component of coastal programs concerns how state and local interests are weighed and how decision-making authority is distributed. Historically, many coastal programs were initially fueled by feelings of distrust for local government and dissatisfaction with past performance on land use control in the coastal zone. The check and balance and coordination, or lack thereof, between state and local interests can also influence the balance between protection and development.

Following is a state-by-state description of the legal framework for coastal programs, permit review processes, permit statistics and permit simplification efforts. These descriptions are followed by a comparative summary of key points and a table which summarizes key program parameters, by state.

ALASKA

Federal Approval Date: July 1979

Program Description

The Alaska Coastal Management Program (ACMP) is based on the Alaska Coastal Management Act (ACMA) of 1977. The ACMA created the Alaska Coastal Policy Council (CPC), which is composed of six State agency heads, the director of the Division of Governmental Coordination (DGC), and nine local government representatives. The DGC, a unit of the Office of the Governor, provides staff assistance to the CPC and administers the ACMP. Under the ACMP, local governments and specially organized coastal resource service areas (CRSA) develop locally specific coastal management programs. The inland coastal zone boundary is based on biophysical relationships and generally follows the 1,000-foot elevation contour. During district program development, boundaries may be set more specifically. A local district program becomes effective, for permitting purposes, once the CPC and the federal coastal management agency review and approve the program.

The ACMP is a networked program that relies on eight State departments: Commerce and Economic Development (DCED), Community and Regional Affairs (DCRA), Environmental Conservation (DEC), Fish and Game (DFG), Law (DOL), Natural Resources (DNR), Transportation and Public Facilities (DOT/PF), and the DGC.

Permit Review Process

The State of Alaska has a streamlined, coordinated system for reviewing applications and issuing permits for proposed projects that would affect natural resources in Alaska's coastal zone. The consistency review process is based on the ACMP and is designed to improve management of Alaska's coastal land and water uses. Regulations regarding the review process are found in Alaska Administrative Code 6 AAC 50.

Once a local coastal district has an approved program, any project proposed within the coastal zone of that district must be consistent with the district plan. In the absence of a local program, projects must be consistent with the 12 standards of the State plan. Standards are in place for coastal development, energy facilities, habitat and air, land and water quality, among others.

The DGC coordinates the consistency review if a proposed project needs a federal permit or permits from more than one State

agency. Federal consistency reviews are also coordinated by DGC. If permits from only one State agency are required, the State agency responsible for issuing those permits coordinates the review. Participants in the review process include the applicant, State resource agencies, the DGC, the affected local coastal community and any other interested party.

All applicants must complete a Coastal Policy Questionnaire (CPQ) and submit it, along with copies of applications for any other necessary State or federal permits, to the coordinating agency. No fee is required by the State to review the project for consistency, although individual agencies may charge processing fees for their permits. Services provided by DGC during a project review include soliciting comments from interested parties, paying for legal notices, distributing project information and materials, arranging for public meetings, and mediating applicant and agency disagreement. All these functions are performed with no direct charge to the applicant.

A consistency review begins upon receipt of a completed application packet. A 30-day review occurs if public notice is not required and if all associated State permits can be issued within 30 days. A 50-day review occurs if the project requires a permit that requires public notice.

At the conclusion of either Day 30 or Day 50, a conclusive consistency determination is issued, unless the proposed decision has been elevated (appealed) for further review. Only the applicant, State resource agencies and an affected coastal district with an approved program may request elevation.

There are two levels of elevation within the consistency review process. Proposed determinations are first reviewed by the directors of the State resource agencies. If a consensus is not reached at the director level, the decision may be elevated to the commissioners of the state resource agencies. The commissioner-level review is the final step in the 6 AAC 50 regulatory appeal process. Each elevation review can take no longer than 15 days.

At the conclusion of the consistency review, all State permits must be issued within 5 days, unless additional review is necessary to fulfill statutory responsibilities (e.g., a DNR permit that involves a disposal of interest in State land). Under current statute and procedures, certain parties (district, agency, citizens of districts) can appeal a state or local consistency review decision to the CPC within 15 days. A "petition" to the CPC is the final step in the administrative appeal process.

Permit Statistics

DGC coordinates the review of approximately 580 projects annually, 90 of which are direct federal actions. Since 1984 when the permitting process was established, about 3,500 projects have been reviewed with 19 projects denied and state concurrence withheld in three direct federal actions. The State added consistency conditions to projects 70% of the time and added modifications for concurrence with direct federal actions 40% of the time. DGC coordinates reviews within an average of just 28 and 43 days, under the 30-day and 50-day consistency review schedules, respectively. Statistics are not available on project review timeframes or numbers handled by local governments or other state agencies.

Permit Simplification

The State of Alaska has identified certain permits and projects that qualify for expedited consistency review. These permits and projects are considered to be categorically consistent (automatically consistent due to de minimis effects on coastal resources) or having general concurrence (consistent if a standard set of stipulations are adhered to). Currently, the State identifies 32 categorically consistent permits or approvals and 77 generally concurrent projects.

CALIFORNIA

Federal Approval Date: Bay Conservation and Development
Commission - February 1977
California Coastal Commission - November
1977

Program Description

The California Coastal Management Program (CCMP) is consists of two segments: the San Francisco Bay segment, administered by the San Francisco Bay Conservation and Development Commission (BCDC); and the remainder of the coast, administered by the California Coastal Commission (CCC). This discussion focuses on activities of the CCC because it covers a broader area.

The CCC is the lead agency for implementing Section 306 of the Coastal Zone Management Act. It is a permanent State coastal management and regulatory agency with twelve voting members and three non-voting members. Six of the voting members are "public members", and six are local elected officials from coastal districts. The three non-voting members represent the State agencies of Resources, State Lands Commission, and Business and Transportation.

The CCC administers the California Coastal Act of 1976, as amended, which established a coastal permit program and required that all coastal cities and counties prepare Local Coastal Programs (LCP's). The Act sets forth policies on public access, recreation, marine environment, land resources, development, and industrial development, and created a Coastal Commission responsible for ensuring that the coastal policies are met in the planning and regulatory processes. The LCP's are the specific long-term management plans proposed by each of the coastal cities and counties for its section of the coast. Each LCP consists of a land use plan, zoning ordinances, and other implementing actions. The CCC reviews each LCP to ensure that it conforms with Coastal Act standards. LCP's which meet all requirements are then certified (approved) by the CCC.

The coastal zone area governed by the Act is approximately 1,000 yards inland from the mean high tide line or, in areas of significant coastal resources, inland up to five miles and seaward to the limit of the territorial sea.

Permit Review Process

Most new development activity in the coastal zone must be authorized by a coastal permit from the local government with a certified LCP or from the CCC in areas without a certified LCP. The CCC also retains permit authority for any development

proposed or undertaken in the immediate shorelands (i.e., tidelands, submerged lands, and public trust lands) and exercises federal consistency responsibilities. The Coastal Act policies or the policies in a certified LCP establish criteria for granting or denying permits.

While local coastal development permit programs vary, each program is required to include specific elements, including application forms, a discretionary body to review applications and issue permits, and procedures to provide notice, public comment, and permit appeals. To allow for appeals, coastal development permits issued by local governments cannot be issued until all local appeals are exhausted and become effective in 20 working days after receipt of the permit decision by the CCC, if no appeals are filed.

Any aggrieved party may appeal to the CCC, certain types of local government decisions made under a certified LCP. In addition, any aggrieved party has the right to seek judicial review of local government actions and CCC decisions. Upon receipt of an appeal, a hearing to discuss the merits of the appeal is scheduled for the next CCC meeting, or as soon thereafter as practical. After the CCC makes a decision on the appeal, it has 10 days to notify interested parties.

Appeals of local decisions can be made to the commission only for approvals granted to developments that lie within certain areas. Grounds for appealing such developments are limited to six cases: 1) failure to provide for or interference with access, 2) failure to protect public view, 3) incompatibility with established physical scale, 4) significant alteration of natural landforms, 5) failure to comply with shoreline erosion or geological setback requirements, or 6) lack of conformity with the certified LCP.

Persons can obtain permits from the CCC by several different procedures. Applicants must first submit an application and processing fees (ranging from \$25 to \$2,500) to the CCC. The application is reviewed by the district coastal staff and placed on the CCC agenda for the earliest possible meeting, but no later than 49 days following the filing of the application. Commission staff determine if the application is put on either the consent or administrative calendar or whether it must receive a full public hearing. Persons known or thought to be interested in the application are notified by the CCC.

California does not have a "one-stop shopping" permit program. When a proposed project requires a permit from one or more cities, counties, other state agencies, or local governments, the permit

application is not accepted unless all agencies have granted, at a minimum, their preliminary approvals. Exceptions may be made for certain projects, including those where impacts on coastal resources could be a major factor in the decision of a State or local agency.

Administrative permits may be granted by the executive director for projects which are minor new developments, such as additions to existing structures (not exceeding \$50,000 in cost), single family residences, or multi-family projects of four units or less. The Coastal Act requires that all administrative permits be reported to the Commission at its next meeting before they take effect. Administrative permits are reported on the administrative calendar. If four or more commissioners request a public hearing of a project, the project is removed from the administrative calendar and scheduled for a public hearing and possible vote at the next regular commission meeting. Conditions may be attached to an administrative permit. Applicants and other interested parties may speak in support or opposition to the project or its conditions.

Projects considered by staff to be consistent with the Coastal Act (de minimis activities), but which do not qualify for the administrative calendar, may be placed on the consent calendar. Projects on the consent calendar are approved by the commission with a single vote for the entire calendar. If three or more commissioners wish to pull an item off consent, the item normally is rescheduled for a regular public hearing and possible vote at the next regular commission meeting. Conditions may be attached to consent calendar permits.

Projects potentially inconsistent with the Coastal Act or projects that can be approved only with conditions for which there are no clear precedents are placed on the regular calendar and are considered during a full public hearing. Persons supporting or opposing the project may tell the commission why they think the project is or is not consistent with the Act. Projects on the regular calendar normally are scheduled for continued hearing and voting at the next regular commission meeting, or no later than 21 days following conclusion of the public hearing. On some projects, the staff may have enough information to make a preliminary recommendation for approval after the public hearing. In that case, the commission may vote that day and not postpone the decision.

An applicant may request that the commission reconsider its previous action on a permit any time within 30 days following the CCC decision. The applicant must show relevant new evidence that could not have reasonably been presented at the original hearing or must show an error of fact or law. Only the applicant and persons who participated in the original proceedings are eligible to testify.

Permit Statistics

During the first half of 1990, the CCC acted on 561 permit items, of which 20 (4%) were denied. Although statistics are not kept, it is estimated that 80-90% of projects reviewed by the CCC are approved with conditions and that most coastal development permits are obtained within 49 days, although actual time varies greatly. In addition, a total of 371 waivers were processed, and 31 non-energy federal consistency items were reviewed. During this same period, local governments issued 873 coast permits, of which 14 (2%) were appealed to the CCC. Statistics are not available regarding review timeframes or numbers of permits issued with conditions by local governments.

Permit Simplification

The CCC has increased the use of waivers to simplify its review of small projects. Projects that qualify for waivers do not need a coastal permit. The decision as to whether a project qualifies for a waiver is made on a case by case basis. The CCC does not maintain a list of activities or approvals that always qualify for a waiver.

The California program also allows for categorical exclusions, which allow certain categories of development within specific geographic areas to be excluded from permit requirements. To further reduce paperwork, the CCC staff also advises applicants with projects that appear to qualify for a waiver not to submit a permit fee with the application. Thus, if the project qualifies for a waiver, the CCC avoids the step of refunding the permit fee.

OREGON

Federal Approval Date: May 1977

Program Description

The Oregon Coastal Management Program (OCMP) is part of Oregon's statewide program for coordinated land use planning. The OCMP is a networked program that is based on four entities: Oregon Land Use Planning Act (Act) of 1973; regulations for the 19 statewide planning goals, including 4 specific to the coastal zone, as adopted by the Land Conservation and Development Commission (LCDC); 41 comprehensive local coastal management plans approved by the LCDC; and statutes and rules of various State agencies. The Act established the LCDC and its staff, the Department of Land Conservation and Development, which is the lead agency for coastal management. The LCDC is a 7-member, unpaid, lay board appointed by the governor, subject to Senate confirmation. The LCDC has the authority to adopt goals and guidelines to provide direction for the OCMP and the comprehensive local coastal management plans. Together with the LCDC, the State implements the OCMP through the coordinated responsibilities of several State agencies. A separate permit for coastal development activities is not required.

All units of government are required to coordinate their actions affecting land use with affected citizens and with local, State and federal agencies. Also, every coastal city and county is required to adopt a plan consistent with the goals promulgated by the LCDC. After acknowledgement (approval) of a local comprehensive plan by the LCDC, including a component that meets state coastal planning goals, the plan takes on the force of law and replaces the statewide goals. Principal agencies assisting LCDC are the Division of State Lands, and the Departments of Fish and Wildlife, Transportation, Energy, Parks and Recreation, and Environmental Quality. The coastal zone boundary is the watershed from the crest of the coastal mountain range to the seaward three-mile jurisdictional boundary and includes all coastal counties in their entirety or portions thereof (i.e. Lane and Douglas counties).

II. Permit Review Process

Persons wishing to conduct a development activity in the coastal zone must first submit an application and necessary fees to the local government. Fees vary depending upon activity and location. Federal consistency reviews are conducted through Department of Land Conservation and Development. The DLCD is the only State agency authorized to comment officially on federal consistency determinations.

Oregon Revised Statutes 215.416 and 227.175 require the local government to establish a consolidated procedure whereby an applicant applies at one time for all local permits needed for a development project. This procedure is to be established no later than the time of the first periodic review of the comprehensive plan and land use regulations, which occurs two to five years after acknowledgement.

After submittal, the application is issued for public notice, and a public hearing is held. The planning commission or hearing official usually makes a decision based on set standards and criteria. The project must be consistent with the local comprehensive plan. The permit decision may be appealed to the city council or county board of commissioners. Another hearing may be held during this appeal.

Oregon Revised Statutes 215.428 and 227.178 require the governing body of a county, city, or its designate to take final action on an application for a local permit, including the resolution of appeals, within 120 days after the application is considered complete. If final action is not taken within that 120-day period, an applicant may apply in the Circuit court of the county or city where the application was filed for a writ of mandamus to compel the governing body or its designate to take action.

City and county land use decisions are final unless they are appealed to the Land Use Board of Appeals (LUBA). LUBA is a panel of three "referees" appointed by the governor and confirmed by the Oregon Senate. Almost all appeals involving local land use decisions go to LUBA rather than Circuit or District courts. Persons or other parties, including cities, counties, and State and federal agencies, who are aggrieved or whose interests are affected by a land use decision have standing to file an appeal to LUBA. To have standing, an appellant must have participated in the local proceedings and must also petition for review within 21 days after the decision is made. In general, third parties have been very active in Oregon's permitting process.

A review by LUBA is limited to determining whether the city or county has properly applied the relevant standards and has enough evidence to support its decision. As a result of its review, LUBA may affirm, reverse or remand the land use decision. State Circuit courts retain jurisdiction to grant declaratory, injunctive, or mandatory relief in proceedings arising from decisions involving a comprehensive plan provision or proceedings to enforce the provisions of an adopted comprehensive plan or land use regulations. The DLCD is specifically authorized by statute to appeal land use decisions in which it has participated or to intervene in LUBA cases in which it has an interest. However, DLCD usually defers to decisions made by affected local governments or State permit agencies.

State agencies with regulatory authorities should assist local governments and other State agencies by commenting on the consistency of specific land use decisions and proposed comprehensive plans with agency policies and standards. While comprehensive plans do not preempt State agency review of individual actions, the consideration of these standards during plan development simplify permit review and reduce conflict over permit decisions.

The LCDC's State Permit Consistency Rule (OAR 660-31) divides State agency permitting decisions affecting land use into two categories. Class A permits provide an opportunity for the public to request a public hearing. In most instances, the agency develops findings of fact whether the issuance of a permit is "consistent" with the acknowledged comprehensive plan or with the statewide planning goals. For Class B permits, the agency must either make this determination or advise the applicant that a land use approval may be required from the appropriate local government. State agencies may rely on the local government's written determination if it demonstrates compliance with the acknowledged plan. The review timeframes for State permits vary based on regulatory requirements for each permit. No single timeframe applies to all permits and, therefore, the time necessary to obtain all the required permits varies considerably.

Once the local approval is obtained and necessary State permits issued, the DLCD determines if the project is consistent with the OCMP. Once a consistent determination is made, the Corps of Engineers can proceed with their permit decision. Oregon does not have a "one-stop shopping" permit program, although it does emphasize interagency review and interaction.

Permit Statistics

During the first six months of 1990, the Department of Land Conservation and Development (DLCD) reviewed 40 State permits in an average of 17 days, with two denials and 12 (30%) approved with conditions. During this same period, the DLCD also reviewed 58 federal consistency determinations (excluding federal financial assistance actions) in an average of 15 days, with two findings of nonconcurrence and 10 (18%) concurred with after modification. Statistics regarding permit actions by local governments are not available.

Permit Simplification

Recent action by the state legislature will help simplify the regulation of wetlands. Senate Bill (SB) 3, among other things, gives authority to the Division of State Lands (DSL) to adopt "wetland construction plans" that will be implemented jointly by the division and affected local governments. SB 3 will help resolve an overlap between the state's land use planning program and the Removal Fill Law.

Currently, DSL through its review of individual removal-fill permits is, in essence, required to reconsider a State-approved land use plan's decision to designate an area for development. As enacted, SB 3 has DSL sign off on the existing State-approved estuary plans and narrows the scope of individual permit reviews to deal with just project-specific impacts. The COE and DSL also developed a joint application form for fill permits to assist applicants in the permitting process. To facilitate interagency coordination, DLCD and other agencies attend a monthly Statewide Interagency Meeting (SWIM). The SWIM gives potential permit applicants an opportunity to present their project to agencies which will be reviewing a subsequent application. The SWIM allows for interagency coordination to begin early, thus helping to ensure timely review of the application upon submittal.

WASHINGTON

Federal Approval Date: June 1976

Program Description

Washington was the first state to receive Federal approval of its coastal management program. The Washington Coastal Management Program (WCMP) is based on the State's Shoreline Management Act (SMA) of 1971, which established broad guidelines for the protection and management of all of the State's marine waters, and certain lakes, streams and wetlands. The Act also required that local governments (cities and counties) prepare Shoreline Master Programs (SMP's) under the supervision and guidance of the State Department of Ecology. The programs provide the framework for issuing permits for shoreline development. All of Washington's local coastal programs have been approved and are currently in effect.

The WCMP is a networked program involving several State agencies, 15 counties and 36 cities, with the Department of Ecology (DOE) acting as the lead agency. The Washington State Departments of Natural Resources, Fish, Game, Highways, Parks and Recreation, Archaeology and Historic Preservation, and Emergency Services support and participate in the implementation of the WCMP.

The coastal zone boundary embodies a two-tier approach. The first tier, a resource boundary area of permit authority under the SMA, includes all of the State's marine waters and associated wetlands. The upland area subject to local planning is 200 feet. The second tier, a planning and administrative area, is composed of the region upland from the first tier to the crest of the coastal range. The coastal zone includes portions of all 15 coastal counties.

Permit Review Process

Following approval of its master program, local government is required to administer and enforce a procedure for issuing permits for activities in the shoreline area. The SMA requires that most shoreline developments, including upland uses within 200 feet of the water's edge, be regulated by locally issued permits. These developments must be consistent with the Act and the approved master program for the area. Each local government has a system of permitting for shoreline development. Federal consistency reviews are conducted by the DOE.

There are three types of shoreline permits: substantial development permit (SDP), conditional use permit (CUP), and variance permit. The SDP's are issued by the local government and the others by the DOE. In addition, certain activities such as

bulkheads for single family residences are exempt from the permit process.

Substantial development permits are issued for any development for which the total cost or fair market value exceeds \$2,500 or any development which materially interferes with the normal use of the water or shorelines of the state.

A conditional use permit allows greater flexibility in the application of the use regulations in the master program to a proposed development, but does not authorize a use that is specifically prohibited by a local plan. The Act also authorizes deviation from specific bulk, dimensional or performance standards through variance permits. These are granted only where extraordinary or unique circumstances exist.

Applicants needing a substantial development permit must first submit an application and necessary fees to the local government. Fee requirements vary depending on activity and location. Concurrent with the application, the local jurisdiction must initiate the process which documents compliance with the State Environmental Policy Act (SEPA).

The Act defers to local government discretion in structuring a permit process, but certain elements must be contained in all programs. Once an application is submitted, the local government must solicit public comment and publish notices. A public hearing may also be held and is typically required for large or controversial projects. The local government then makes a permit decision and sends the decision to the DOE. The substantial development permits are monitored and reviewed by the DOE to ensure they are consistent with the Act. The State reviews the local decision and has 30 days to approve the decision or appeal it to the Shoreline Hearing Board (SHB). The local government cannot take action during the 30 days. Permit decisions may also be appealed by the public, local government or applicant. The board, a quasi-judicial body with six members representing citizen interests, has appellate jurisdiction over permit processing. Decisions of the Board can be appealed to the Superior Court of the State of Washington.

A conditional use permit or variance permit review proceeds in a similar manner, except that the DOE must approve or disapprove, rather than just review the permit. Decisions on these types of permits may also be appealed to the Board and the Superior Court.

Permit Statistics

The DOE staff indicate that approximately 1,000 projects are reviewed each year with 2-3% denied and 70-80% approved with conditions. Of this total 3-4% are appealed to the Board. There is no set maximum timeframe for local decisions on shoreline

development permits, but timeframes are typically 75 days for substantial development permits and 105 days for conditional use and variance permits, without appeal.

Permit Simplification

The success of the WCMP depends on communication and cooperation among the DOE and local planning and other departments that administer the SMP's. To further this cooperation and to provide assistance in program implementation, the DOE recently published a Shoreline Management Guidebook that includes a Shoreline Administrative Manual to assist in permitting. The manual provides the "nuts and bolts" of shoreline management including laws, regulations, procedures and policies.

COMPARATIVE SUMMARY

The coastal programs of the western states are each unique, yet share significant components. Alaska, California and Oregon all have large coastal zones that encompass broad land areas. Conversely, Washington has a narrow coastal zone and only limited upland jurisdiction beyond that zone. All four states delegate substantial coastal planning authority to local governments, although local coastal plans must be approved by the states and meet certain criteria before the plans have the force of law. California is the only state to create a new state commission, the California Coastal Commission (CCC), to oversee and implement the coastal program, although Oregon did establish an independent commission, the Land Conservation and Development Commission, for oversight. Washington bestowed implementing authority on an established State agency, the Department of Ecology (DOE). Alaska implements the coastal program through the Division of Governmental Coordination, a new coordination agency within the Governor's Office, created in 1984.

Once local governments have approved local coastal programs, California, Oregon and Washington delegate permitting authority to them. In California, local governments have the authority to approve certain types of development, although the CCC retains permit authority in certain areas. The CCC also maintains a hand in local decision making through a limited permit appeals process.

In Oregon, local governments review projects and make land use decisions, although these decisions may be monitored by the State. The DOE maintains supervisory authority and monitors permits issued by local governments in Washington.

In Alaska, local governments with approved coastal programs are not delegated permitting authority but actively participate in review of all proposed development in the coastal zone.

The procedures for the review and issuance of permits vary greatly from state to state. It is difficult to directly compare permit numbers or processing times because of this variation, however, some general conclusions can be drawn.

In California, coastal permits are issued by either the local government or the CCC or in some instances permits may be needed from both (e.g., onshore and offshore wetlands fill). Each review process includes public notice and comment provisions. Permits reviewed by the CCC are also subject to regulatory timeframes, although actual review time varies greatly. There are appeal provisions for all coastal permits issued, although grounds for appeal are limited.

Local governments in Oregon review and approve development activity in the coastal zone. Oregon statutes require local governments to develop a consolidated review procedure whereby applicants apply for all required permits at one time. In addition, final local action on permits, including appeals, must be taken within 120 days after completed permit applications are received. Local decisions may be appealed to the Land Use Board of Appeals.

In Washington, local governments regulate development in the coastal zone through shoreline development permits. Upon receipt of applications, public comment is sought, after which the local government makes a decision and sends it to the DOE for concurrence. The DOE has 30 days to approve the decision or request appeal to the Shoreline Hearing Board. Other parties may also appeal to the Board.

Alaska's permit review process requires applicants to work with a single State contact to obtain all the necessary State permits and consistency determination for federal permits for any proposed activity. This coordinated "one-stop shopping" feature does not exist in the other states examined. Other features of Alaska's review process include easy access and participation in the decision process by applicants, appeals to the state resource agency commissioners, coordinated review by state agencies and local coastal districts, expedient decisions and issuance of permits. Alaska's short review times and the predictability of prompt permit decisions enable project applicants to move effectively plan and schedule field construction activities.

All states require stipulations during the consistency review of most projects. Stipulations are added to project permits to reduce negative effects of development activities. In all states, relatively few permits are denied, although low denial numbers do not necessarily imply no conflict.

All states have simplified their permit programs. Alaska and California both use some form of waivers, and Alaska and Oregon both use joint permit applications. All states emphasize inter-agency coordination to facilitate sound permitting decisions and timely reviews.

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PROGRAM PARAMETERS

<u>State</u>	<u>Coastal Program Enabling Legislation</u>	<u>Participants in Coastal Program Implementation</u>	<u>Coastal Boundaries</u>	<u>Role of Local Government</u>	<u>Timeframes for Permit Reviews</u>	<u>Coastal Permits</u>	<u>Fee</u>	<u>Federal Consistency</u>
Alaska	Alaska Coastal Management Act (ACMP) of 1977	DGC, state agencies, CPC, coastal districts	Generally 1000 ft. elevation, based on bio-physical boundary	To develop local coastal district programs approved by CPC and Feds and to participate in consistency reviews.	30 or 50 days plus up to 15 days each for 2 appeals.	No - networked program implemented through existing programs	No	DGC Coordinates review
California	California Coastal Act (CCA) of 1976, as amended	California Coastal Commission (CCC) administers	1000 yards in land of mean high tide or up to 5 miles inland in areas of significant coastal resources	To prepare Local Coastal Programs (LCP's) and issue coastal permits once their programs are approved.	Variable at local level. Local decisions may be appealed to CCC with in 20 working days; CCC decisions may be reconsidered upon request within 30 days.	Yes	Yes	CCC coordinates
Oregon	Oregon Land Use Planning Act of 1973	Land Conservation and Development Commission (LCDC) and its staff, the Dept. of Land Conservation and Development (DLCD) Other agencies: Division of State Lands, Oregon Dept. of Fish & Wildlife, Transportation, Energy, Agriculture, and Environmental Quality	The watershed from the crest of the coastal mountain range to the 3-mile seaward limit	To develop local coastal management plans (41 established). Issue permits for development once their plans are approved.	120 days (includes appeal) for locally issued permits. Timeframe for State permit actions are variable.	No	Yes	DLCD coordinates
Washington	Shoreline Management Act of 1971	Dept. of Ecology is the lead agency Other participants: Depts. of Natural Resources, Fish, Game, Highways, Parks & Rec., Archeology and Historical Preservation, and Emergency Services; 15 counties and 36 cities.	2-tier approach, 1st - All state marine waters and associated wetlands. 2nd - From 1st tier to crest of coastal range.	To develop local (state-approved) Shoreline Master Programs (SMP's). Once approved, approve development permits in the coastal zone.	Local review timeframe variable. State has 30-days to review and approve local decisions.	Yes - Shoreline Management Permit for first tier	Yes	DOE coordinates

Legislative Research Services

130 Seward Street, Suite 218
Juneau, Alaska 99801
907/465-3991
Fax: 907/463-3351

FAX TRANSMISSION COVER SHEET

Date: February 19, 1997
To: Representative Bill Hudson
Fax: 907/465-2273
Re: Information on California Coastal Commission and Coastal States Organization
Sender: Patricia A. Young
Legislative Analyst 

YOU SHOULD RECEIVE 13 PAGE(S), INCLUDING THIS COVER SHEET. IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL 907/465-3991.

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Marieke,

I got the attached information from the world wide web. Specific addresses are noted. Phone number for CSO is 202/508-3860.

Please let us know if you need any more help on this or other topics.



California Coastal Commission

45 Fremont Street, Suite 2000, San Francisco, CA 94105-2219 (415) 904-5200

Help Save the California Coast by Purchasing the Coastal Protection License Plate!

Coastal Law and Legislation

California Coastal Act
 Questions and Answers About
 the California Coastal Act
 Our Permanent Responsibilities
 Other Relevant Legal Information
 Coastal Commission Legislative Office

Ways You Can Get Involved

Adopt-A-Beach
 Coastal Cleanup Day
 Save Our Seas Curriculum
 Coastweeks Activities
 California Coastal Commission Environmental
 License Plate

Who We Are

Where We Are Located

Meetings

Current Agenda
 Agenda Headings
 Meeting Rules and Procedures
 Previous Meetings
 1997 Meeting Dates and Locations

Commissioners

Commission Publications and Maps

Links to Other Sites

You can now purchase t-shirts and posters to help support Adopt-A-Beach
 and our other coastal education programs!

AS OF 2/19/97 HTTP://WWW.CA.GOV/COASTALCOMMISSION/WEB/INDEX.HTML

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ANNOUNCEMENT AND CALL FOR PAPERS

MARCH 24-27, 1997

SAN DIEGO, CALIFORNIA U.S.A.



to CERES

California Resources Agency

This site is maintained by Murry Frown, California Coastal Commission. Special thanks to Sheila Merrigan who was instrumental in the construction of this web site



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California Coastal Commission

LINKS TO OTHER SITES*about the California coast and coastal zone management in general***SITES BY REGION**

CALIFORNIA GOVERNMENT SITES
 CALIFORNIA NON-GOVERNMENT SITES
 CALIFORNIA COUNTY/REGIONAL/STATE SITES
 CALIFORNIA COASTAL CITY SITES
 FEDERAL SITES
 INTERNATIONAL SITES

**SITES BY SUBJECT**

ACADEMIC/RESEARCH SITES
 DIRECTORIES/LISTS SITES
 EDUCATION SITES
 ELECTRONIC PUBLICATIONS SITES
 ENDANGERED SPECIES SITES
 ENVIRONMENTAL SITES
 FISHERIES SITES
 GEOGRAPHIC INFORMATION SYSTEM (GIS) SITES
 POLLUTION (OCEAN)
 SEARCH TOOLS SITES
 WILDLIFE SITES

As of 2/19/97 <http://cores.ca.gov/coastalcomm/web/sites.html>

**SITES BY REGION****CALIFORNIA GOVERNMENT SITES**

California Codes Official site for California legislative information

California Department of Fish and Game. Information on the California Department of Fish and Game and includes links to Natural Heritage Division, Bay-Delta Division, and the Wildlife Protection Division

California Department of Parks and Recreation. This agency's mission is to provide for the health, inspiration, and education of the people of California by helping to preserve the State's extraordinary biological diversity, protecting its most valued natural and cultural resources, and creating opportunities for high-quality outdoor recreation.

California Department of Transportation. This agency is responsible for the design, construction, maintenance and operation of the California State Highway System.

California Division of Tourism. The California Division of Tourism (CalTour) promotes travel to and within the state of California

California Electronic Government Information. Hypertext links and resource descriptions for over 150 California state, regional, and municipal databases available over the Internet or through dial-up bulletin board systems

California Environmental Education Interagency Network (CEEIN). Consortium of environmental educators representing California agencies with oversight responsibilities to protect California's environment

California Film Commission. The California Film Commission is charged with enhancing the economic climate in California by keeping film industry jobs in the state

California Harbor Master. Contains links to government, Coast Guard, and weather information.

California Smart Traveler. The one place on the Internet to get information on all your transportation options in California.

California State Lands Commission. Manages and protects the important natural and cultural resources on public lands within the state and the public's rights to access to such lands.

CFRES - California Environmental Resources Evaluation System

State of California Department of Forestry and Fire Protection. Fire protection and stewardship of over 31 million acres of the State's privately-owned watershed area

State of California Department of Water Resources. Provides information on snow and water conditions within the state including flood information.

State of California - Teale Data Center, GIS Technology Center. Develops and makes GIS tools and data; includes coastline and wetlands GIS maps.

CALIFORNIA NON-GOVERNMENT SITES

Bank of America Environment. BankAmerica's environmental commitment is applied throughout the corporation from recycling programs to credit decisions.

California Fisheries Information. Provides links to a variety of Ocean/weather/fisheries related sites.

Palo Alto Baylands Preserve. Palo Alto Baylands is a 1700 acre nature preserve comprised almost entirely of salt marsh and tidal wetlands.

San Lorenzo River Restoration Institute. The San Lorenzo River Restoration Institute (SLRRI) was formed in 1992 to advance community efforts to re-establish streamside habitat, bring back fish and bird life, and improve recreation areas in the San Lorenzo River Watershed.

CALIFORNIA COUNTY/REGIONAL/STATE SITES

California State.

California County and Regional

San Dieguito River Park Joint Powers Authority is authorized to create a greenway and open space park in the San Dieguito River Valley to protect the valley's unique resources while providing compatible recreational and educational opportunities for the San Diego region, including a trail for hikers, bicyclists and equestrians extending from the ocean to the river's source.

CALIFORNIA COASTAL CITY SITES

Arcata.

California Cities

California CityLink
Municipal

Carlsbad.

Carmel-by-the-Sea

Access Monterey (includes Carmel-by-the-Sea)
Welcome to the Monterey Peninsula (includes Carmel-by-the-Sea)

Catalina Island

Chula Vista.

Half Moon Bay.

Huntington Beach.

La Jolla.

Laguna Beach.

Loug Beach.

Los Angeles.

City of Los Angeles
@L.A.

Malibu.

Manhattan Beach.

Marin County.

Marina.

Mendocino.

Monterey.

Access Monterey
Welcome to the Monterey Peninsula.

Oceanside.

Orange County.

Pacific Beach.**Pacific Grove.**

Access Monterey (including Pacific Grove).
Welcome to the Monterey Peninsula (including Pacific Grove).

Pebble Beach.

Access Monterey (including Pebble Beach).
Welcome to the Monterey Peninsula (including Pebble Beach)

Redondo Beach.**San Diego.**

Welcome to the City of San Diego Home Page
City of San Diego.
San Diego CityLink.
The San Diego Directory.

San Francisco.

San Francisco CityLink.
CityWatch Cable Channel 54 San Francisco's Government Access Channel.
San Francisco County Transportation Authority.

San Luis Obispo**Santa Barbara.****Santa Cruz.**

Welcome to Santa Cruz
SenseMedia, Santa Cruz.
Santa Cruz InfoPoint.

Santa Maria.**Santa Monica.**

City of Santa Monica.
Santa Monica Web.

Sea Ranch.**Seaside.****Turtnace.****Ukiah.****Watsonville.****FEDERAL SITES**

Center for Coastal Ecosystem Health (CCEH). Contributes to the development of improved management strategies for achieving coastal ecological, cultural, and economic sustainability.

Channel Islands National Park. Introduces Channel Islands National Park, five islands off the coast of southern California

Coastal and Estuarine Oceanography Branch, National Ocean Service. Features the Coastal and Estuarine Oceanography Branch (CEOB) of the Office of Ocean and Earth Science, National Ocean Service, National Oceanic and Atmospheric Administration.

Coastal Hazards Assessment and Mitigation Project (CHAMP) and Wind Load Test Facility (WLTF). Provides information about the Coastal Hazards Assessment of Mitigation Project (CHAMP) and the Wind Load Test Facility (WLTF) at the Department of Civil Engineering of Clemson University in South Carolina

CoastWatch. was established to develop and distribute NOAA satellite and oceanographic data products for the U.S. West Coast to academic and governmental researchers, managers and policy makers.

Education and Public Awareness. Presents the Marine and Coastal Geology Program of the U.S. Geological Survey, which conducts marine geologic investigations of critical issues affecting the Nation, providing scientific information to managers and planners working in coastal and offshore regions.

EPA - Environmental Protection Agency.

EPA - Rules, Regulations, and Legislation. The Federal Register environmental subset

FedWorld Information Network. Comprehensive central access point for locating and acquiring government information

Monterey Bay National Marine Sanctuary. Helps protect the diverse, richly populated Monterey Bay by regulating and implementing research, education, enforcement, program planning and development, fund raising, and public outreach

National Coastal Zone Management Program. A voluntary partnership between the coastal states and the Federal government which balances coastal resource management with the promotion of sustainable coastal economic development.

National Oceanographic Data Center (NODC). One of the environmental data centers operated by the U.S. National Oceanic and Atmospheric Administration (NOAA) National repository and dissemination facility for global environmental data

NOAA Coastal Ocean Program Office. Provides scientific information to assist decision makers to meet the challenges of managing our Nation's coastal resources.

NOAA Home Page. Promoting global environmental stewardship in order to conserve and wisely manage the Nation's marine and coastal resources

NOAA Office of Ocean and Coastal Resources Management. Combines the expertise of managers and planners, scientists, and environmental advocates to balance preservation of valuable ocean and coastal resources with the need for compatible economic development of the coastal zone.

NOAA Satellite Ocean Remote Sensing (NSORS). Develops, deploys, and operates spacecraft and sensors useful to the ocean community.

Sea Grant Program. Encourages the wise stewardship of our marine resources through research, education, outreach and technology transfer.

Thomas Legislative Information on the Internet. Full text of legislation, Congressional Record, bills, and the constitution. Also provides links to the Senate, House of Representatives, C-span, and Library of Congress.

INTERNATIONAL SITES

Global Ocean Observing System (GOOS). A scientifically-based, long-term, international program. Distributes oceanic data and products.

Marine and Coasts -- Australian Department of the Environment. Coastal and oceanic information related to Australia. Links to other Australian sites.

TOPEX/Poseidon. TOPEX/Poseidon is a cooperative project between the United States and France to develop and operate an advanced satellite system dedicated to observing the Earth's oceans

SITES BY SUBJECT

ACADEMIC/RESEARCH SITES

Biological Sciences Database--Marine Biology, Cal Poly. Provides information on marine plants, mammals, birds, fish, invertebrates, mollusks, echinoderms, arthropods, and reptiles.

California Sea Grant. California Sea Grant supports advanced research on marine issues of vital concern.

Center for Coastal and Land Margin Research. Dedicated to regional-scale interdisciplinary research and its applications to ecosystems at the margins of the land and the sea.

Center for Coastal Studies (CCS). A research unit of Scripps Institution of Oceanography (SIO), University of California, San Diego (UCSD). Engages in world wide scholarly studies of the coastal environment, the development of data acquisition systems and research instrumentation, and advising on coastal protection and sediment management.

Coastal Data Information Program. Outlines the Coastal Data Information Program at the University of California at San Diego. Provides access to data on U.S. coastal sites and maps of the east coast, west coast, and Hawaii.

Institute of Marine and Coastal Sciences. Associated with Rutgers, The State University of New Jersey.

Marine Biological Laboratory, Woods Hole, Massachusetts. A non-profit institution devoted to research and education in basic biology.

Mote Marine Laboratory. An independent, non-profit research organization dedicated to excellence in marine and environmental science. Internationally recognized but research directed at southwest Florida coastal region.

National Marine Fisheries Service; Northeast Fisheries Science Center Headquarters, Woods Hole, Massachusetts. Fisheries research.

The Plankton Net. Marine Plankton Ecology & Biological Oceanography home page. University of Guelph, Canada. Provides a multitude of links to other sites.

Rosenstiel School of Marine and Atmospheric Science, University of Miami. Subtropical applied and basic marine and atmospheric research institute. Broad range research on local, regional, national, and global levels.

San Diego's Ocean. Provides information on pier and surf conditions, tide predictions, wind, ocean temperatures, and marine forecasts.

SOEST Coastal Systems Research Group. Conducts marine geologic research in the Hawaiian Islands with the goal of improving our understanding of coastal processes and coastal records of environmental change. Department of Geology and Geophysics, University of Hawaii at Manoa.

DIRECTORIES/LISTS

Amazing Environmental Organization Directory.

Coastal, Estuarine and Wetlands Resources. List of sites relating to coastal, estuarine and wetlands subjects.

List of WWW Sites of Interest to Ecologist. Lists hundreds of sites including marine information.

EDUCATION SITES

EE-LINK. Environmental education on the internet.

Marine and Coastal Environments. Outlines a list of conventions for marine and coast.

Monterey Bay Aquarium. The purpose of the Monterey Bay Aquarium is to stimulate interest, increase knowledge and promote stewardship of Monterey Bay and the world's ocean environment through innovative exhibits, public education and scientific research.

Smithsonian Ocean Planet. An exhibition at the Smithsonian Institution's National Museum of Natural History.

Smithsonian Underwater Pictures. Beautiful marine pictures.

ELECTRONIC PUBLICATIONS SITES

Antarctic Science. Provides just the table of contents for this journal from March 1994 to January 1995.

Aquatic Microbial Ecology. Provides table of contents and abstracts of papers.

Cambridge University Abstracts for Aquatic Sciences Journals. Provides abstracts of the journals.

The Center for Field Research at Earthwatch Call for Proposals. Call for proposals on marine biology, ecology, and ichthyology.

Coastal Briefs. An electronic mini-journal consisting of short (1-2 page) articles synthesizing the results of recent research concerning all aspects of coastal oceanography.

Marine Ecology Progress Series. Provides table of contents and abstracts of papers.

New Zealand Journal of Marine & Freshwater Research. Provides electronic abstracts of papers published since 1994.

Voyage Publishing Marine Ecology. Provides full text articles relating to marine ecology.

U.S. Geological Survey. Selected Water Resources Abstracts. This is the HTML interface to the fielded data within the U.S. Geological Survey Selected Water Resources Abstracts, from 1929 to 1995.

ENDANGERED SPECIES

EcoNet. Endangered species.

EE-LINK Endangered Species. All about endangered species.

Kempthorne ESA Bill Spells Doom for Endangered Marine Wildlife. Senator Dirk Kempthorne (R-ID) has introduced S. 1364, the Endangered Species Conservation Act of 1995, which, if enacted, will substantially weaken the protection now afforded threatened and endangered wildlife.

Wild Things. Information on specific endangered species.

ENVIRONMENTAL SITES

American Shore and Beach Preservation Association Page. The American Shore and Beach Preservation Association works to improve the overall planning and management of shores and beaches throughout the U.S.

Ocean Voice International. A marine environmental organization on the WWW: conserving marine diversity and ecosystems; promoting sustainable use of marine resources, enhancing life & equity of benefits of coastal fishers.

Surfrider Foundation USA. A non-profit environmental organization dedicated to the protection and enhancement of the world's waves and beaches through conservation, activism, research, and education.

FISHERIES

American Fisheries Society. The AFS, founded in 1870, is the oldest and largest professional society representing fisheries scientists. AFS promotes scientific research and enlightened management of resources for optimum use and enjoyment by the public.

GORP - Fishing Resources on the Internet.

Institute for Fisheries Resources. A not for profit organization dedicated to the study, protection, and enhancement of both marine and anadromous biological resources on the Pacific coast of the United States and Canada.

Marine Fish Conservation Network (MFCN). The MFCN is a broad-based coalition of national, regional and local fishing and conservation organizations whose goal is to reform and strengthen the management of U.S. marine fisheries in order to promote their continuing, long-term sustainability.

National Marine Fisheries Service (NMFS). The NMFS administers NOAA's programs which support the domestic and international conservation and management of living marine resources.

NOAA Fisheries: Conserving Our Nation's Living Oceans. Established to help disseminate information within NOAA Fisheries.

Our Living Oceans Annual Report. This is an annual report from the National Marine Fisheries Service.

Pacific Coast Federation of Fishermen's Association (PCFFA). PCFFA is the largest and most politically active trade association of commercial fishermen on the west coast.

Pacific States Marine Fisheries Commission. Authorized by Congress in 1947, the PSMFC is one of three interstate commissions dedicated to resolving fishery issues.

Sustainable Fisheries Foundation. A nonprofit research and education organization dedicated to the protection, enhancement, and wise use of fisheries resources in the Pacific Northwest.

GEOGRAPHIC INFORMATION SYSTEM (GIS) SITES

Regis HomePage. Research program in environmental planning and geographic information systems. University of California-Berkeley.

POLLUTION (OCEAN)

Marine Debris Information Office. The MDIO's mission is to increase public awareness of the marine debris problem and encourage efforts that minimize and/or control marine debris.

Marine Pollution. The marine pollution page of the WWF Global Network site.

Plastics in Our Oceans. Article by Kimberly Amaral on plastic pollution in the ocean.

SEARCH TOOLS

Amazing Environmental Organizations. A listing of all types of environmental sites.

Yahoo Search: Oceanography. A search mechanism for oceanography topics.

WILDLIFE SITES

The Dolphin Alliance. Dolphin Alliance is a local grassroots citizens' action group established to act as a voice for dolphin and whale rights and protection of their environment.

Greg's Point Reyes Wild Life Page. Wildlife found at Point Reyes National Seashore in Northern California.

International Wildlife Education and Conservation. Our purpose is to educate people in the reasons why it is so important to ensure the future of endangered animals worldwide.

Internet Marine Mammal Resource List. A list of Internet sites containing information on whales, dolphins, and other marine mammals.

The Marine Mammal Center. The Marine Mammal Center is a private, non-profit organization that rescues, rehabilitates and releases orphaned, injured, or stranded marine mammals along a thousand mile stretch of California coastline.

National Wildlife Federation.

Turtle Trax: Marine Turtles. To introduce people to the wonder and beauty of the marine turtle and increase awareness of the threatened or endangered status of marine turtles.

Whale Net. Dedicated to education while focusing on whales and whale research.

Whale-Watching-Web. All about whales and watching them.

WWF Global Network. WWF is the world's largest and most experienced independent conservation organizations.


 [Return to California Coastal Commission Home Page](#)



Ocean & Coastal Resource Management

"Ensuring healthy coasts and oceans for present and future generations."

Coastal Zone Management	National Estuarine Research Reserves	National Marine Sanctuaries
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Ocean and Coastal Resource Management Programs

- Coastal Programs Division
- Sanctuaries And Reserves Division
- Policy Coordination Division

Mission

OCRM's unique mission is to make decisions, with our partners, that affect the quality and diversity of our Nation's coastal and ocean resources for everyone's use and enjoyment, and to resolve conflicts among users. We meet this challenge through three programs established by Congress: the National Coastal Zone Management Program, the National Estuarine Research Reserve System, and the National Marine Sanctuary Program. We provide:

- Management of marine and coastal protected areas
- National perspective
- Technical and financial support
- Scientific research for management
- Outreach and education
- Conflict resolution
- Federal partnership
- Policy Leadership

AS OF 2/19/97 http://www.nos.noaa.gov/ocrm

Texas Coastal Management Program Approved!!

Congratulations to Texas - the 30th approved coastal management program

- OCRM Publishes Final Environmental Impact Statement for Texas Coastal Management Program
- Press Release announcing OCRM approval of Texas Coastal Management Program
- Federal Register Notice (January 10, 1997)
- Summary of Texas Coastal Management Program

Coastal Zone Enhancement Program (309) Documents now available on-line
 The final 1996 Coastal Zone Enhancement Program Guidance, Assessment Questions, and the Guidance Transmittal memo may be downloaded here in zipped format

Read about Watershed 96, a national conference held in Baltimore in June of 96. OCRM was one of the conference's sponsors.



OCRM, in conjunction with NOAA's Office of Ocean Resources Conservation and Assessment, is developing the Application, Reporting, and Information portion of the Coastal and Marine Management Program Information System which will allow state and territory Coastal Zone Management Programs and National Estuarine Research Reserves to submit performance reports and, eventually, financial award applications to OCRM via the World Wide Web. This will simplify the application and reporting process for our program partners and create a database of program activities to benefit the coastal and ocean management community. The Application, Reporting, and Information Initiative can be accessed at http://www.orca.nos.noaa.gov/coastal_zone

Scope



Programs:

- Coastal Zone Management Program
- National Estuarine Research Reserve System
- National Marine Sanctuary Program

Divisions:

- Coastal Programs Division
- Sanctuaries & Reserves Division
- Policy Coordination Division

Office Email:

Email Address Listing



Return to NOAA/NOS/OCRM

Comments

Joshua Fort
1305 East-West Highway, N/ORMS
Silver Spring, MD 20910
(301) 713-3117, ext. 178

Last Updated: January 13, 1997

CITY AND BOROUGH OF JUNEAU COASTAL DISTRICT

Constituent Comments:

"Since its inception, the Alaska Coastal Management Program has been invaluable in assisting coastal communities with the review and development of projects and activities critical to the economic health of those communities. At a time when the federal and state governments are asking local communities to take on more responsibilities, it's critical that programs like the Alaska Coastal Management Program are left intact to provide communities with the tools to effectively manage activities within their boundaries." Rod Swope, City and Borough of Juneau Assembly and Alaska Coastal Policy Council Member

"I represent developers seeking permits from the State of Alaska. ACMP is the only regulatory program which recognizes, in its statutes and regulations as well as the routine operations of DGC, that there is a public interest in development as well as in protecting the environment. No other state system contains this balance. Without ACMP, we would be completely at the mercy of single-purpose agencies which have no obligation to consider my client's needs or what my clients bring to Alaska's economy." Murray Walsh, Consultant

"NMFS is really appreciative of the work DGC has done for us. When faced with funding and timing restrictions, DGC expedited the permitting process, allowing us to successfully test our methodologies." K V. Koski, National Marine Fisheries Service, Alaska Fisheries Science Center

Recent Projects:

During FY 93-97, DGC coordinated the consistency review of 124 projects within the City and Borough of Juneau Coastal District. Recent projects include:

- Duck Creek 2. Applicant: National Marine Fisheries Service. Project: Duck Creek restoration. Action: DGC issued final finding in 21 days to help facilitate expedient restoration effort.
- Mendenhall River 14. Applicant: BBS Partnership. Project: Streambank revetment to protect recreational and other facilities from flooding. Action: DGC instrumental in agency/applicant cooperation and coordination to allow project to proceed.
- Mendenhall River 43. Applicant: AHFC&CBJ. Project: Streambank revetment for new low income housing and school properties. Action: DGC expedited the permitting process and facilitated agency/applicant discussions.

Federal Financial Assistance:

During FY 93-97, the ACMP provided about \$171,000 for district program implementation (participate in project reviews and attend statewide and regional conferences) and \$152,000 for various special projects, a total of \$323,000. Special project funding included: \$10,000 for geophysical hazard maps that identify avalanche and mass-wasting hazard areas; \$50,000 to identify potential wetlands mitigation sites and develop guidelines for restoring wetlands functions as an implementation component of the *Juneau Wetlands Management Plan*, which provides for a streamlined state and federal wetlands permitting system and establishes the first wetlands mitigation bank in Alaska; \$25,600 to prepare a map atlas and a permitting procedures manual, draft a local ordinance, and prepare public education materials -- all to assist with the implementation of the *Juneau Wetlands Management Plan*; \$9,000 to develop stream side set back policies and procedures; \$44,700 during FY93-97 to help fund the city's involvement in permitting the Alaska-Juneau, Kensington, and Greens Creek gold mine projects, which are significant economic ventures in the coastal district; \$6,700 for computer equipment; \$3,000 to amend special waterfront area policies to facilitate needed waterfront development; and \$3,000 for information sheets to help the public with the permitting process.

Contacts for Further Information:

Rod Swope, Alaska Coastal Policy Council Member; City and Borough of Juneau Assembly	586-8953
Murray Walsh, Walsh Planning and Development Services	586-4083
Bill Smith, Planner, City and Borough of Juneau	586-5320
Dave Hanna, Developer/Consultant	789-1902
K V. Koski, NMFS	789-6024

KETCHIKAN GATEWAY BOROUGH COASTAL DISTRICT

Constituent Comments:

DGC "...has in the last two months performed near miracles in assisting Southern Southeast Regional Aquaculture Association with two projects..." DGC has "kept the process moving, showing true cognizance of the important role of your agency...". 2/16/96 letter from **William J. Halloran**, Operations Manager, Southern Southeast Regional Aquaculture Association, Inc.

"DGC was a great help with my client's project. I would have had to expend a great amount of time and extra effort had it not been for them." **Jennings Graham**, Architect, Ketchikan.

"The project [Ward Cove 23] was successful with DGC's appropriate oversight including adequate consideration for environmental, public health and development issues." **Glenn Escobar**, Agent for Ketchikan Pulp Company.

Recent Projects:

During FY93-97, DGC coordinated the consistency review of 132 projects within the Ketchikan Gateway Borough Coastal District. Recent projects include:

- Tongass Narrows 500. Applicant: Spruce Mill Development Corp. Project: Construction of commercial buildings at Ketchikan's old Spruce Mill Site. Action: DGC coordination and assistance to applicant resulted in timely permit approvals for project.
- Neets Creek 2. Applicant:SSRAA (Bill Halloran). Project: Fish hatchery expansion. Action: DGC assisted applicant in determining necessary authorizations to bring existing and expanding facility into compliance.
- Tongass Narrows 297. Applicant: Jon Glenn. Project: Tidelands fill for construction of residence. Action: DGC assistance to agent kept him informed of agency concerns and provided guidance on needed actions.

Federal Financial Assistance:

During FY 93-97, the ACMP provided \$103,000 for district program implementation and \$26,000 for various special projects for a total of **\$129,000**. Special project funding included: approximately \$14,000 for a coastal plan update and \$12,000 for amending the subdivision and zoning ordinances for the Borough.

Contacts for Further Information:

Ray Bloom, R&M Engineering	225-7917
James Carlton, Former Mayor, Ketchikan Gateway Borough	225-4261
Tom Somrak, Lands Forester, USFS Ketchikan Area	225-6929
Glenn Escobar, Agent for Ketchikan Pulp Company	227-6164
Jim Voetberg, Assistant City Manager, Ketchikan	225-3111

FAX TRANSMITTAL

STATE OF ALASKA
OFFICE OF THE GOVERNOR

TONY KNOWLES
GOVERNOR

FRAN ULMER
LIEUTENANT GOVERNOR



DIVISION OF GOVERNMENTAL
COORDINATION
PO BOX 110030
JUNEAU, AK 99811-0030

Telephone: (907) 465-3562
Fax: (907) 465-3075

Date: 1/13/98
Pages: 1

From: Kerry Howard
Phone: (907) 465-8794
E-mail: Kerry_Howard@gov.state.ak.us

To: Marika

Fax No.: 465-2273

Comments: Attached in the information we discussed. Thanks for the phone call.

If you received this FAX in error, please immediately notify the sender by telephone, and return this FAX to the sender at the above address. Thank you.

KENAI PENINSULA BOROUGH COASTAL DISTRICT

Constituent Comments:

"The Alaska Coastal Management Program serves as a vital link and integral component in 2nd class boroughs, such as the Kenai Peninsula Borough. The ability to review and recommend stipulations for anticipated activities provides a forum for local control which had not previously existed. The demise of the ACMP would have adverse impacts on the economy and people of the state." Lisa Parker, Kenai Peninsula Borough Planning Director

"It seems ironic that after all these years of trying to establish local control, we would want to relinquish authority back to the federal level." Jack Cushing, CPC member for the Lower Cook Inlet Region and Homer City Councilman

"I think you [DGC] did an excellent job of incorporating our concerns regarding the Kenai River. The tie to the KRSMA plan was especially effective. I endorse your finding and trust it will strengthen relationships with the Corps of Engineers to protect...the Kenai River." Jim H. Richardson, private citizen, regarding Nationwide permits proposed by the U.S. Army Corps of Engineers.

Recent Projects:

During FY93-97, DGC coordinated the consistency review of 323 projects within the Kenai Peninsula Borough Coastal District. Recent projects include:

- Kasitsna Bay 4. Applicant: Charles Hart. Project: Construct seasonal dock and ramp on MacDonald Spit to facilitate handicap access. Action: Expedited review by providing DFG permit applications and conducting review in abbreviated time so work could be done during good tides.
- Seldovia Bay 70. Applicant: Seldovia Bay Native Association. Project: Barge Dock. Action: Provided interface between DFG and applicant to obtain necessary additional information. Review was extended, but still completed within the deadline set by applicant.
- Kachemak Bay 78. Applicant: Herndon and Thompson, Inc. Agent, John Calhoun (235-8350) Project: A private marine campground facility, Homer Spit Marine Park, a commercial boat basin, barge ramp, and cargo storage and handling facility. Action: DGC assistance allowed agencies to identify areas of concern and meet with agents to resolve issues in time to meet applicant's schedule.
- Kenai River 16. Agent: Wayne Fredeen. Project: Maintenance dredging Salmon Run Acres subdivision canals. Action: DGC maintained close contact with agent to help coordinate interaction with regulatory staff.

Federal Financial Assistance:

During FY 93-97, the ACMP provided \$185,000 for district program implementation and \$49,700 for special projects including money for major project reviews and an amendment to the Borough's coastal management plan. In addition, \$331,500 was spent on a joint project between the Kenai Peninsula Borough and the Department of Fish and Game. The project covered several years and addressed coastal issues related to habitat, access and erosion, ensuring the long-term sustainability of the district's sport and commercial fisheries on the Kenai River. Most recently, in FY 97, \$45,000 is being allotted to the Department of Environmental Conservation and the Borough to develop indicators to facilitate predictable wetland development in the Kenai River watershed. The total amount during these years for district program implementation and special projects total approximately \$521,500.

Contacts for Further Information:

Charles Hart, Private Citizen	235-7258
John Calhoun, Herndon and Thompson, Inc.	235-8350
Wayne Fredeen, Private Citizen (property owner)	696-0011

MUNICIPALITY OF ANCHORAGE COASTAL DISTRICT

Constituent Comments:

"The Municipality has found that its coastal district representative has become a project proponent (for public as well as private projects) and a representative of applicants in the permitting process. That function would be eliminated if the ACMP were repealed." Thede Tobish, Senior Planner, Municipality of Anchorage.

"I have worked with DGC staff to acquire project permits for about twenty projects, ranging from simple to complicated and fast-tracked. The most recent of these is the Whittier Access Road. DGC staff have always provided prompt and accurate answers to my questions, have worked creatively to find solutions to problems, have served as the project proponents' advocate, and have worked to expedite projects when necessary. I am grateful to have someone competently coordinating state reviews of projects and ensuring that stipulations applied to proposed work are practical and reasonable." Anne Leggett, HDR Alaska, Inc.

"I want...to thank you [DGC] for all the assistance you have provided during the Municipality's review of issues surrounding bulk fuel storage tanks in the port area. Your clarification of the State's role in permitting and operating these tanks has been very helpful...thank you for all your assistance and for ensuring that the public notice concerns are addressed." George Vakaris, Operations Manager, Municipality of Anchorage.

Recent Projects:

During FY 93-97, DGC coordinated the consistency review of 87 projects within the Municipality of Anchorage Coastal District. Recent projects include:

- Little Rabbit Creek 1. Applicant: Anchorage School District. Agent: Jeff Barnes, Kumin and Assoc. (272-8833). Project: Construction of South Anchorage Middle School in wetland area. Action: Facilitated the review by State agencies. State and Federal agencies developed creative solution to incorporate wetlands as asset to school.

- Portage Lake 1. Applicant: DOT/PF. Agent: HDR. Project: Road access to Whittier. Action: Coordinated State agencies and cooperated with Federal agencies to complete reviews in timely manner. Most recent 50-day review was completed in 41 days.

Federal Financial Assistance:

During FY 93-97, the ACMP provided \$185,000 for district program implementation and \$114,850 for various special projects for a total of \$299,850. Special project funding included: \$22K for maps to accompany the updated *Anchorage Wetlands Management Plan*, which allows for a streamlined wetlands permitting process; \$36K to inventory, analyze and map wildlife habitat within the Municipality's coastal zone; \$37.6K to test dust control products on unpaved roads; and \$19.25K for the Chester Creek watershed assessment which will provide baseline information on the creek and surrounding floodplain.

Contacts for Further Information:

Thede Tobish, Senior Planner, Municipality of Anchorage	343-4261
Jeff Barnes, Kumin and Associates	272-8833
Mark Dalton and Anne Leggett, HDR Alaska, Inc.	274-2000
Marnie Isaacs, Municipality of Anchorage	343-4546

NORTH SLOPE BOROUGH COASTAL DISTRICT

Constituent Comments:

"I would like to personally thank you for your exceptional effort in processing our recent permit application... Without the energy and dedication you put into this project, it is unlikely that we would have secured the needed approvals in the timeframe needed to allow start-up and completion of a winter drilling operation." 1/17/96 letter from Eric M. Luttrell, Vice President Alaska Exploration and New Developments regarding the Sourdough #3 Exploration Well.

"Those of you that don't know me, my name is Ray Koonuk, Sr., in which I serve as a member of the Coastal Policy Council. I represent a vast area which runs from the Kotzebue Sound to the North Slope oil fields. Within the north and northwest we watch our coast to see that nothing is violated in which I mean is we are the hunters that hunt to feed our families in which we depend on the ocean for food. We have various marine mammals that migrate along the north and northwest coast and to ensure that the migration of the sea animals we need the Coastal Management Council to observe and to protect our oceans from any oil spills and other accidents that could harm the ocean and mammals. So please continue to support the Coastal Management Council so they can protect our oceans." Ray Koonuk, Sr., Public CPC member representing the Northwest Region.

Recent Projects:

During FY93-97, DGC coordinated the consistency review of 133 projects within the North Slope Borough Coastal District. Recent projects include:

- Badami Development Project. Applicant: BP Exploration (Alaska). Project: Development of a 120- million barrel reservoir near Mikkelson Bay. Action: DGC worked with applicant, state and federal agencies and the North Slope Borough to address ACMP consistency issues in a timely manner.
- North Slope Exploration Wells. Applicants: BP Exploration (Alaska) and ARCO. Projects: Exploration wells in three small reservoirs including Gwydyr Bay, Northwest Eileen and Tam. Action: DGC coordinated the reviews for these wells. Development of small marginal oil wells will increase flow rates to the Trans-Alaska Pipeline.
- Colville River Gravel Mine: Applicant: Nuiqsut Contractors. Project: Gravel mine operation that would support oil and gas projects in the Colville River area. Action: Currently in review, DGC extended deadlines for this review to accommodate a request by the North Slope Borough for a hearing.
- NPDES General Permit. Applicant: Multiple companies. Project: General permit for sanitary wastes from camps, gravel pit dewatering, and use of this water for ice roads. Action: DGC coordinated the review of this general permit which will cover routine activities on the North Slope and provide more time for permittees to focus on activities with greater impacts.

Federal Financial Assistance:

During FY93-97, the ACMP provided \$146,850 for district program implementation and \$59,000 for a special project for a total of \$205,850. Special project funding went to the Department of Fish and Game to work with the North Slope Borough to develop performance standards to guide gravel pit sitings and operations.

Contacts for Further Information:

Tom Lohman, Environmental Resource Specialist, NSB

349-2606

MATANUSKA-SUSITNA BOROUGH COASTAL DISTRICT

Constituent Comments:

"Because of funds provided by the Alaska Coastal Management Program, the Matanuska-Susitna Borough has been able to acquire baseline information and data to use in resource development decision-making. The Alaska Coastal Management Program's financial support has been particularly important to the development planning of the port at Point McKenzie. It has provided the Borough a stronger voice in dealing with state and federal agencies in resource management issues." Ken Hudson, Chief of Code Compliance, Matanuska-Susitna Borough

Recent Projects:

During FY93-97, DGC coordinated the consistency review of 72 projects within the Mat-Su Borough Coastal District. Recent projects include:

- Big Island. Applicant: NMFS. Agent: Barbara Mahoney. Project: Susitna River Flats Platform, a camp for three summers (1996-1998) to monitor the subsistence harvest of beluga whales and operate a zodiac in the Susitna River area to estimate populations and observe behavior of the beluga whales on Big Island on the Susitna River Flats. Action: Facilitated state, federal and coastal district participation of federal activity.
- Talkeetna River 4 - Applicant: ADF&G, Bruce McCurtain. Project: Rehabilitation of the Talkeetna Boat Ramp. Action: DGC facilitated coordination among reviewers, ADF&G, and the City of Talkeetna, who was a partner with ADF&G on this project.
- Jacobsen Lake 4 - Applicant: City of Wasilla. Agent: Don Porter. Project: Construct a road from the Wasilla Airport to the Parks Highway. Action: Facilitated coordination between other agencies and the agent/applicant to start the project into review in timely manner.

Federal Financial Assistance:

During FY 93-97, the ACMP provided \$190,550 for district program implementation and \$3,300 for a special project for a total of \$193,850. Special project funding was provided for floodplain mapping hardware and software.

Contacts for Further Information:

Mr. Ken Hudson, Chief of Code Compliance, Matanuska-Susitna Borough
Barbara Mahoney, NMFS

745-9865
271-5006

NORTHWEST ARCTIC BOROUGH COASTAL DISTRICT

Constituent Comments:

"The Alaska Coastal Management Program has greatly benefitted the Northwest Arctic Borough. We were able to receive funding in order to update our coastal management plan, which has just been conceptually-approved by the Borough Assembly. We need to have a plan that provides guidance for development projects in our region. The ACMP allows the district to have local input in the decisions made about what happens within our coastal zone." **Frank Stein**, Planning Director for the Northwest Arctic Borough

Recent Projects:

During FY93-97, DGC coordinated the consistency review of 53 projects within the Northwest Arctic Borough Coastal District. Recent projects include:

•Chukchi Sea 9. Applicant: Cominco. Agent: Paul Dusenbury. Project: Alaska Red Dog Mine Port Site Expansion to increase storage facility, workers housing. Action: Worked closely with agent to identify information needed by resource agencies to evaluate authorizations for modification.

Federal Financial Assistance:

During FY93-97, the ACMP provided \$115,800 for district program implementation and \$94,000 for a special project for a total of \$209,800. Special project funding was provided to the Borough to update their coastal management plan.

Contacts for Further Information:

Paul Dusenbury, Cominco

426-9259

BERING STRAITS CRSA COASTAL DISTRICT

Constituent Comments:

"The Bering Straits Coastal Management Plan gives residents and community members an opportunity to comment on federal, state and local activities which affect their daily lives. The Bering Straits plan also benefits applicants for state and federal permits by having a plan to follow. In many cases, coastal management increases communication among parties affected by a proposed activity. The Bering Straits Coastal Resource Service Area brings benefits to all involved." **Chuck Degnan**, Director, Bering Straits Coastal Management Program

Recent Projects:

During FY93-97, DGC coordinated the consistency review of 55 projects with in the Bering Straits CRSA Coastal District. Recent projects include:

•Norton Sound 45. Applicant: NOVA Natural Resources Corporation. Agent: Brian Spillane/Jim Schaff. Project: Suction dredging operation to mining the offshore placer gold deposits in Norton Sound near Nome. Action: Negotiated timing windows with coastal district to protect subsistence activities in project area. Also, established early and good relationship with agent which enabled open discussions regarding agency concerns.

Federal Financial Assistance:

During FY93-97, the ACMP provided a total of \$472,050 for district program implementation within the entire coastal resource service area.

Contacts for Further Information:

Brian Spillane/Jim Schaff; Nova Natural Resources Corporation

(303) 863-1997

THE ALASKA COASTAL MANAGEMENT PROGRAM

House Bill 28 would repeal the Alaska Coastal Management Program (ACMP). The ACMP (1) supports local coastal programs; (2) strengthens state and local government involvement in federal decision-making and permitting; and (3) provides a coordinated review process for coastal development projects. The Division of Governmental Coordination (DGC) assists local communities in program development and implementation. DGC also coordinates state and federal permit reviews through the coastal project review process. Local participation, state influence over federal decisions, and coordinated project reviews greatly benefits Alaskans.

BENEFITS TO ALASKANS

DEVELOPERS:

- Pre-approval for routine activities.
- Pre-application meetings with permitting agencies.
- Pre-application assistance tailored to the developer's project.
- Checklist to help applicants through the permit process.
- Simultaneous permit and coastal program review.
- Single State agency contact.
- Established review schedule.
- Timely issuance of permit approvals.
- Most permits issued within five days after the coastal program review.

THE PUBLIC:

- Participation in development of local programs that set local coastal policy.
- Receive notice of projects.
- Opportunity to comment on projects.
- A voice in federal activities.

STATE AGENCIES:

- Strengthened role in federal decision-making.
- Coordinated review process.
- Timely decisions.
- Categorical approval for routine projects.
- Joint public notices.

COASTAL COMMUNITIES:

- Locally established policies to address community coastal issues.
- Strengthened role in federal and state decision-making.
- Federal funding supports local coastal programs, implementation, and special projects.
- Formal standing to participate in project reviews.
- Project information is provided to keep communities informed.
- Local knowledge is part of state decisions.
- Public need for a project is a factor in the decision-making process.
- Formal public notice of projects affecting a coastal district.

FEDERAL AGENCIES:

- Required early consultation and cooperation with the State.
- A mechanism to address State concerns.
- A means to garner State and public support for coastal projects.
- A coordinated process to receive input from the State and local communities.

**Work Program for Implementing Recommendations
and Directives of the ACMP Assessment
January 1997 - June 30, 1997**

INTRODUCTION

On August 30, the Steering Committee released a report entitled Coastal Policy Council Report on the ACMP Assessment that contained 27 recommendations and 13 findings. Following public review and comment, on October 3, 1996 the Council modified and approved 30 recommendations. These recommendations are contained in Appendix A. In addition to approving recommendations, the Council on December 11, 1996 acknowledged the "Operating Principles of the ACMP as Reaffirmed through the Assessment" (See Appendix B)¹.

With Council action on Assessment Recommendations and Operating Principles, the ACMP Assessment will focus on the mechanics of implementation. At the same time, there are some Assessment recommendations that need further work or refinement before they can be implemented through a statutory or regulatory change. This work program also addresses ongoing tasks.

STARTING ASSUMPTIONS

- ◇ While statutory changes directed by the Assessment Recommendations have been filed with the Governor's Legislative Office, efforts to seek legislation will not be piece-mealed and are pending a complete statutory package.
- ◇ The Council will review the regulatory package before commencing the formal public review as provided for rulemaking under the Administrative Procedures Act. Regulations will not be piece-mealed before the Council or the public.

¹ The "Operating Principles" are the same as the 13 findings included in Coastal Policy Council Report on the ACMP Assessment; presented as a policy directive by Director Diane Mayer.

- ◇ The Administration's proposals for permit streamlining and standardization of administrative appeals are scheduled to be available in April 1997.²
- ◇ Federal grant requirements necessitate a target date of June 30, 1997 for completion of this work program.

ROLE OF COASTAL POLICY COUNCIL, STEERING COMMITTEE, ACMP WORKING GROUP AND KEY STAFF

A. Coastal Policy Council (Council)

The Council is the decision-making body for ACMP program changes. As such, it is imperative that they be involved when the work program reaches a "policy juncture". To facilitate the scheduling of Council involvement, anticipated "policy junctures" are noted in the work program. This work program anticipates three meetings (January, April, June).

B. Steering Committee

The Assessment Steering Committee is a subcommittee of the Council comprised of the two co-chairs, two additional state agency and two additional public (local government) members. The primary role of the Steering Committee is to be the sounding board for staff and the ACMP Working Group throughout the implementation process. When policy guidance is needed on implementation issues, on refining concepts or on potential regulatory changes, staff and the ACMP Working Group can call upon the Steering Committee. The Steering Committee will also set work priorities. It is anticipated that the Steering Committee will teleconference once every four to six weeks.

Currently serving on the Assessment Steering Committee:

Deputy Commissioner Jeff Bush, Dept. of Commerce and Economic Development
Robert Fagerstrom, City Council of Nome
Director Diane Mayer, Division of Governmental Coordination
Deputy Commissioner Marty Rutherford, Dept. of Natural Resources
Rod Swope, City and Borough of Juneau
Vacant: public member co-chair seat³

² Council directed further examination of options to resolve the petition controversy in the context of other administrative appeals. Thus, this task is integrated with the administration's broader streamlining efforts.

³ The Council is expected to elect a new public member co-chair at its January meeting.

C. ACMP Working Group

The ACMP Working Group is comprised of state and district representatives who work at the program delivery level. This is a long standing and well recognized group often called upon for problem-solving on implementation matters. The ACMP Working Group will take the place of the task forces and committees previously established in the ACMP Assessment. It is appropriate for one group to develop the details to make sure all the retooled program parts fit together. Nonetheless, the interest and ability to contribute to this stage of the ACMP Assessment is much larger than the ACMP Working Group. Consequently, prior task force and other ACMP participants will be invited to participate in discussions before the ACMP Working Group. All interested parties will be notified of Working Group meetings and agenda topics. It is anticipated that the ACMP Working Group will teleconference for two-hour meetings, twice monthly.

Currently serving on the ACMP Working Group:

Jennifer Carmen, Ketchikan Gateway Borough
Janet Burleson-Baxter, Department of Natural Resources
Chuck Degnan, Bering Straits Coastal Resource Service Area
Kerry Howard, Division of Governmental Coordination
Gabrielle LaRoche, Division of Governmental Coordination
Bob Laurie, Department of Transportation and Public Facilities
Karl Ohls, Department of Commerce and Economic Development
Carl Schraeder, Department of Environmental Conservation
Glenn Seaman, Department of Fish and Game
Thede Tobish, Municipality of Anchorage
Nelda Warkentin, Department of Community and Regional Affairs
Steve Weaver, Department of Law

D. Key Staff

As Coastal Program Coordinator, Gabrielle LaRoche, is lead staff to the Council and responsible for the ACMP Assessment. Gabrielle will be the primary contact for the Steering Committee and the ACMP Working Group. She will organize meetings, and develop summary and support materials for these groups as well as the Council. DGC will be filling a temporary position to assist in coordination and support of these efforts.

As the focus shifts to implementation of Assessment recommendations, regulatory drafting will become a primary activity. Steve Weaver, legal council to the Council, will serve as the lead staff person in this regard. He will be assisted by paralegal staff within Department of Law.

TIME CONCERNS

This work program is based on an ambitious schedule. It aims to have a regulatory package before the Council in late April. There may be times when agency and district staff can not dedicate enough time to the ACMP Working Group because of other work obligations. As such, progress on this work program will be evaluated for the April Council meeting and a grant amendment to enable extension of the work program until September 30, 1997 may be recommended.

COMMUNICATION

Open and consistent communication is necessary for successful implementation. To ensure good communication, DGC will continue to issue the bi-monthly bulletin *Coastal Currents*. This bulletin will provide regular updates and summarize significant activities of the Steering Committee and the ACMP Working Group. *Coastal Currents* will inform ACMP participants of upcoming meetings and solicit input.

In addition to these regular mailings, DGC will notify via facsimile all the active participants in the ACMP Assessment of upcoming meetings of the ACMP Working Group. Everyone on the notification list will have the opportunity to participate via teleconference. With an expression of interest, additional names can be added to this list. All Steering Committee meetings will continue to be public noticed.

Realizing that face-to-face discussions foster dialogue, problem-solving and consensus building, whenever possible, Council meetings will be scheduled to coincide with Coastal District conferences. This allows for informal worksessions on key issues prior to Council action.

SPECIFIC WORK PROGRAM

A. Current Year Task Descriptions (January - June 30, 1997)

1. Enforceable Policy Guidelines - efforts are now underway to finalize the guidelines for writing clear, enforceable and well understood plan policies. Final drafting by staff is based on broad public review and Council direction.
2. Cities Within CRSA's - clarification language based on Council direction is now being reviewed by the Title 29/46 Committee.
3. Draft Regulations - regulatory drafting for Assessment Recommendations A.1. - A.4., A.6., A. 10.-11., B.6., C.3., and D.3. concerning "fair consideration", "local knowledge", "public need" and CRSA issues (see Appendix A)

4. Program Amendment Proposal - public review of this proposal to streamline the amendment process will begin January 2, 1997.

5. Reduce District Plan Requirements - DGC/DCRA are preparing recommendations for the ACMP Working Group. Comments from previously conducted teleconferences with coastal districts are driving these recommendations.

6. Streamlining Appeal Processes - a multiagency work group has been assigned the task to develop recommendations to preclude multiple State administrative appeal avenues for the same project.

7. Municipal District Consistency Proposal - pursue the original Municipal District Proposal with one or two interested coastal districts.

8. Local Consistency Option - determine criteria for exempting the State from consistency determinations on projects that are local in nature and have the municipal districts to do a consistency determination on their local approval with an option to override the exemption on a case-by-case basis.

B. Out-year Task Descriptions (July 1, 1997 - June 30, 1998)

DGC is seeking 309 funds for FY98 to pursue the following new task to implement the program changes recommended by the Assessment. Other potential tasks resulting from FY97 Assessment Activities will be addressed through the FY98 306 Work Program.

1. Guidebooks - prepare an informative guidebook series to give guidance to coastal districts and state agencies and to capture appropriate program improvements. Training sessions and workshops would be an element of this task. Each guidebook would be modeled after the first series of ACMP guidebooks produced in 1980 by DCRA. Likely subject matters for these guidebooks are as follows:

- a. Introduction to the ACMP: What It Is and How It Works
- b. Preparing a District Coastal Management Program
 - Effective Public Participation Techniques
 - Resource Inventory and analysis
 - How to write enforceable policies
 - The Local, State and Federal Review and Approval Process
- c. Consistency Review
 - What it is, How it Works
 - Due Deference, Local Knowledge and Public Need

- d. **Implementation: Making a District Coastal Management Plan Work**
 - State Implementation
 - Local Implementation
 - Updating and Making Changes to the District Program

C. Task Scheduling and Assignments

◇ Action Items for Council meeting, **January 23, 1997**

- Task A.1. **Enforceable Policy Guidelines - staff analysis of issues raised during the review of the enforceable policy guidelines, and recommendations on guideline language.**

◇ Activities for **January 23 through April**

- Task A.1. **Enforceable Policy Guidelines - Field test the Enforceable Policy Guidelines on plan reviews and plan amendments that are likely to come before the Council for approval. DGC will continue working on this task.**
- Task A.2. **Cities Within CRSA's - Title 29/46 Committee considers comments on earlier proposed recommendation to clarify the relationship of cities and CRSA's regarding policy development. Seek Committee consensus. DGC/DCRA coordinate this review.**
- Task A.3. **Draft Regulations - Continue regulatory drafting for Assessment Recommendations. Begin drafting potential regulatory changes arising from Tasks A.2. cities within CRSAs, A.4. program amendment proposal, and A.5. reduce district plan requirements as approved by the Steering Committee. DGC/DOL to draft and work through the ACMP Working Group.**
- Task A.4. **Program Amendment Proposal - Address public comments in finalizing program amendment process. DGC is assigned to this task.**
- Task A.5. **Reduce District Plan Requirements - Finalize recommendations to reduce district plan requirements. This task will be scheduled with the ACMP Working Group.**
- Task A.6. **Streamlining Appeal Process - Finalize recommendations on standardizing the state appeal process. This task remains with the multi agency work group already assigned.**

Task A.7. Municipal District Consistency (MDC) Proposal - Determine which coastal district(s) will serve as the pilot program for the MDC Proposal. Develop a work program and funding source for this pilot project. DGC will address this task through the ACMP Working Group.

Task A.8. Local Consistency Option - Determine criteria for consistency exemption. DGC will address this task through the ACMP Working Group.

◇ Information Items for Council meeting in late April, following Statewide Conference

Task A.1. Enforceable Policy Guidelines - Field test results on applying the Enforceable Policy Guidelines

Task A.7. Municipal District Consistency Proposal - Work program for MDC pilot project

Task A.8. Local Consistency Option - Status Report on consistency exemption option. Note: This may be an action item if substantial progress is made on this task.

◇ Action Items for Council meeting in late April, following Statewide Conference

Recommendations on Task A.2. - Cities within CRSA's

Recommendations on Task A.5. - Reduce District Plan Requirements

Recommendations on Task A.6. - Streamlining Appeal Process

ACMP Regulatory Package - Draft Regulations - highlighting additions from Task A.2. - Cities within CRSAs, 4. - Program Amendment Proposal, and 5.- Reduce District Plan Requirements

◇ Activities for April through June 30, 1997

Formal Public Review of ACMP Regulatory Package

Task A.6. Streamlining Appeal Process - Begin statutory drafting for approved recommendations on standardizing the state appeal process.

Task A.7. Municipal District Consistency Proposal - Initiate pilot program development for MDC Proposal

Task A.8. Local Consistency Option - Finalize consistency exemption option

◇ Activities for July 1, 1997 through June 30, 1998 (if funding is available)

Task B.1. Guidebooks - Begin drafting guidebook series.