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9379 HOUSE RESOURCES

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The Alaska Coastal Policy Council is the policy-making board for the Alaska Coastal Management Program. Coastal Policy Council members are listed below.

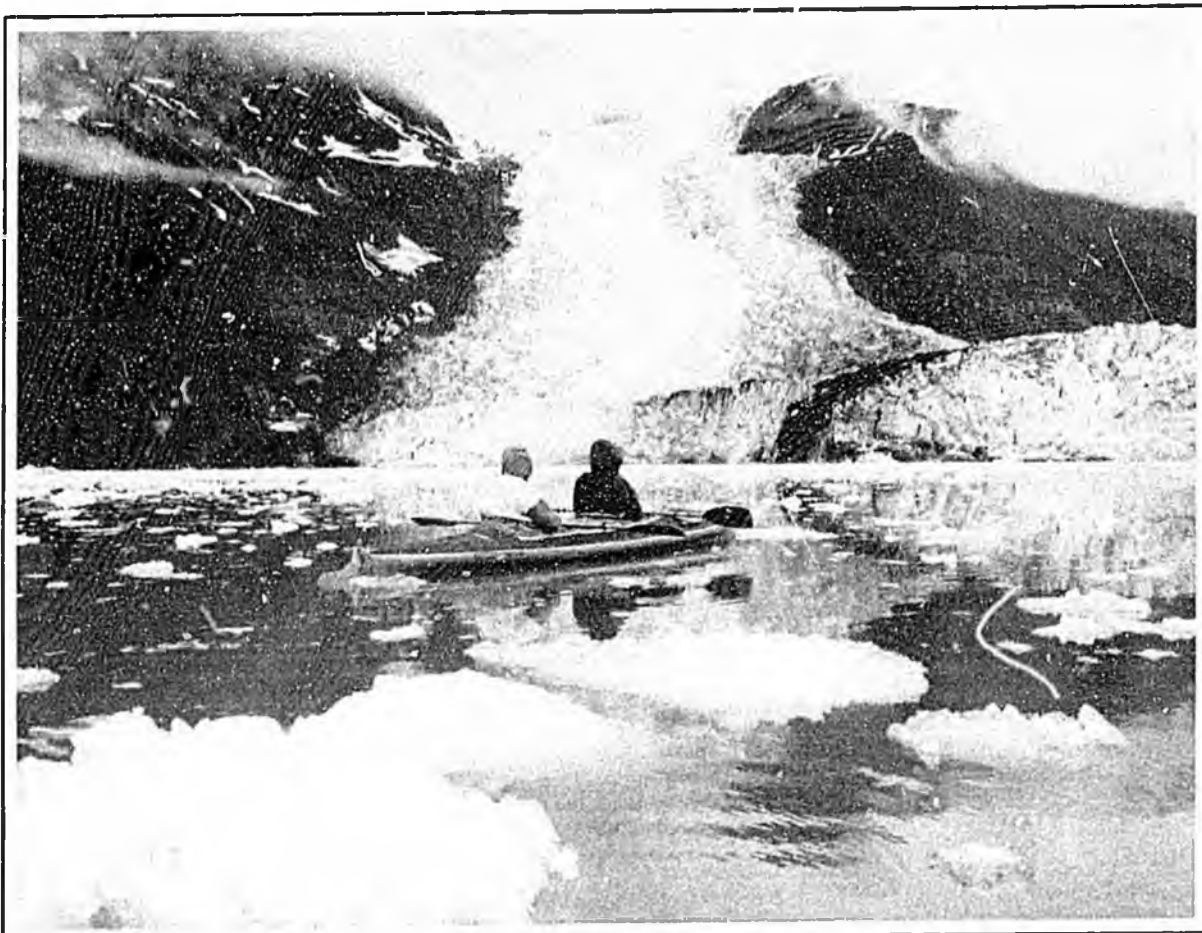
Alaska Coastal Policy Council

LOCAL REPRESENTATIVES

Northwest	Willie Goodwin Mayor, City of Kotzebue
Bering Straits	Stan Andersen Nome City Council
Southwest	Thomas Brink Nurapitchuk City Council
Upper Cook Inlet	Joseph Evans Anchorage Assembly
Kodiak-Aleutians	John R. Mercurief Mayor, City of St. Paul
Lower Cook Inlet	Mary A. Henry Homer City Council
Prince William Sound	Robert F. Kellar Valdez City Council
Northern Southeast	Lawrence E. Powell Mayor, City of Yakutat
Southern Southeast	Coy Lester Thorne Bay City Council

STATE REPRESENTATIVES

Department of Commerce and Economic Development	Glenn Olds, Commissioner
Department of Community and Regional Affairs	Edgar Blatchford, Commissioner
Department of Environmental Conservation	John A. Sandor, Commissioner
Department of Fish and Game	(Vacant) Commissioner
Department of Natural Resources	Harold C. Heinze, Commissioner
Department of Transportation and Public Facilities	Frank Turpin, Commissioner
Division of Governmental Coordination	Paul C. Rusanowski, Ph.D., Director



Kayaking in Prince William Sound (Mark Skok, Division of Tourism)

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Craig
Haines
Hoonah
Hydaburg
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Kake
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Klawock
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Sportfishing on an Alaska lake (Division of Tourism)

Introduction

Alaska's coastline is the focus of economic activity, community development, and a way of life for many Alaskans. It furnishes safe harbors, homes, jobs, natural resources, a means of transportation, and sites for industry, commerce and recreation. Alaska's 33,000 miles of coastline also include beaches, tidelands and wetlands that support important fisheries and wildlife. Alaska's coastal zone includes a variety of rich and productive ecosystems.

Under the Alaska Coastal Management Program, local governments, rural regions, and the State of Alaska cooperatively manage the use and protection of Alaska's coastal resources. Thirty-three coastal communities and regions work closely with the State to prepare plans that guide development in their coastal areas and to take part in decisions on permitting of proposed development projects.

With the full participation of project applicants, affected coastal districts and State agencies, the Alaska Coastal Management Program serves as a forum for conflict resolution and facilitates the permitting of proposed coastal development projects. The Alaska Coastal Management Program is important in helping to ensure that local and State interests in coastal development are met, particularly in planned federal actions.

The Alaska Coastal Management Program is designed to:

- bring a broad perspective to decisions on coastal issues;
- provide information needed for sound decision-making;
- provide a forum where conflicts about coastal development can be identified and resolved;
- enhance the State of Alaska's role in federal resource decision-making and the role of local governments in State and federal decision-making; and
- improve the timeliness and coordination of permitting decisions by the State for coastal management projects.

This report describes the activities of the Alaska Coastal Management Program during fiscal year (FY) 1990, July 1989 through June 1990.

COASTAL MANAGEMENT: THE LEGISLATIVE FRAMEWORK

Coastal management planning began at the national level with the enactment of the federal Coastal Zone Management Act of 1972. In the federal act, Congress stated its intent to "develop a national program for the management, beneficial use, protection and development of land and water resources of the nation's coastal zone." The overall goal of the program is to achieve a *proper balance of resource development and protection*.

The federal act provides two incentives to encourage the states to develop coastal management programs tailored to state needs and interests. First, it authorizes grants to states to develop and implement their programs. Second, the act requires federal agencies in their discretionary actions to be consistent to the maximum extent practicable with approved state programs.

The federal act, reauthorized in 1990, provides new incentives and challenges for management of the nation's coastal zone. The act establishes competitive grants for enhancement of state coastal programs in several key areas (i.e., public access, coastal wetlands, marine debris, coastal hazards, special area management plans, ocean resource plans, energy/government facilities siting, and coastal growth impacts). The new act also strengthens the federal consistency requirements by clarifying that all federal agency activities that affect coastal uses or resources are to be consistent with a state's program to the maximum extent possible. In addition, the act establishes a coastal nonpoint pollution control program which is intended to work with existing state and local authorities to manage land and water uses affecting coastal waters.

With the adoption of the Alaska Coastal Management Act in 1977, the State of Alaska initiated its

coastal management program. The Alaska Coastal Management Act strives for orderly and balanced development of Alaska's coast, with an opportunity for coastal residents to take part in planning and decision-making. The Act provides for: 1) a coordinated program built on existing agency authorities and 2) the Alaska Coastal Policy Council to govern development and implementation of Alaska's coastal program.

THE ALASKA COASTAL POLICY COUNCIL

The Alaska Coastal Policy Council oversees the Alaska Coastal Management Program, sets policy and reviews coastal district programs for approval. The Coastal Policy Council represents both local and State interests. Membership of the council is established by statute: nine locally elected officials such as mayors, city council or borough assembly members; six State agency officers; and the director of the Office of Management and Budget (OMB) in the Office of the Governor. Local representatives to the council are appointed by the Governor from nominations submitted by municipalities. In 1990, local representative Willie Goodwin, Mayor of Kotzebue, and State representative Robert L. Grogan, Director of the Division of Governmental Coordination within OMB, co-chaired the Coastal Policy Council.

The Division of Governmental Coordination, acting as staff to the Coastal Policy Council, coordinates the development and review of district programs for council consideration and the implementation of approved programs through project consistency reviews.

The Coastal Policy Council adopted *standards*, or general policies to guide coastal development. These standards form the State program in areas where district programs are not yet developed and approved. Coastal districts typically supplement these State standards with additional policies in their local programs.

The standards address the following topics:

- coastal development

- geophysical hazard areas
- recreation
- energy facilities
- transportation and utilities
- fish and seafood processing
- timber harvest and processing
- mining and mineral processing
- subsistence
- habitats
- air, land and water quality
- historic, prehistoric and archaeological resources

COASTAL DISTRICTS

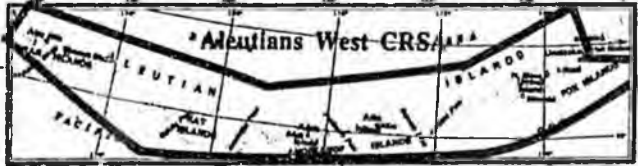
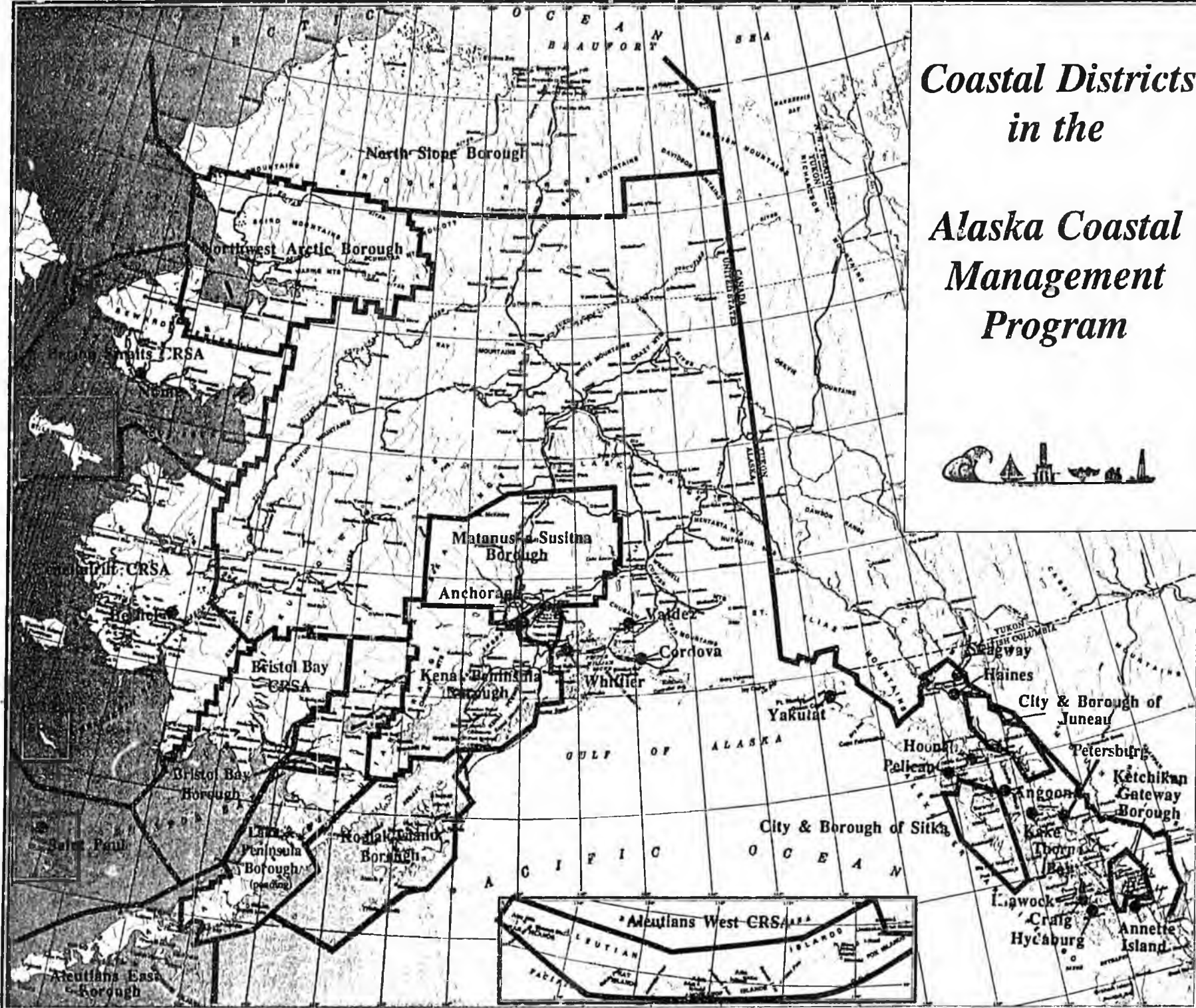
The State of Alaska and local coastal districts work cooperatively to develop and implement Alaska's coastal management program. Coastal districts include:

- organized boroughs that exercise planning authority (8 districts);
- unified home rule municipalities (3 districts);
- home rule cities, first-class cities, and, under certain circumstances, second-class cities (18 districts); and
- regional coastal resource service areas directed by elected boards (4 districts).

COASTAL ZONE BOUNDARIES

The boundaries of Alaska's coastal zone are based on an evaluation of the biological and physical characteristics of the State's coastal areas. The coastal zone includes all areas where uses and development activities may impact Alaska's coastal waters and resources. Because the biological and physical character of Alaska's coast is not uniform throughout the State, the coastal zone boundary is not a standard "setback" from the coast, but varies in Alaska's different coastal regions. In 1978, the Coastal Policy Council defined the seaward coastal zone boundary to include all

*Coastal Districts
in the
Alaska Coastal
Management
Program*



marine waters and submerged lands out to the three mile limit of State jurisdiction. The council also adopted a preliminary or "interim" inland coastal zone boundary. Since 1978, some coastal districts have adopted, whereas others revised, the interim coastal zone boundaries.

Alaska's coastal zone is mapped in a 1988 publication entitled *Coastal Zone Boundaries of Alaska*. This atlas includes all maps and boundary criteria necessary for determining whether a use or activity is located within Alaska's coastal zone.



PROGRAM ACTIVITIES

Coastal District Programs

With support from the Alaska Coastal Management Program (ACMP), districts have made substantial progress in developing coastal management programs in their areas. These programs are based on the State standards, provide policy direction on natural resources development and conservation in the coastal zone, and are used in local, State and federal decision-making. Thirty-three local coastal districts participate in the ACMP; 31 district programs are fully approved at the local, State and federal levels of government. Three district programs -- City of Angoon, Kenai Peninsula Borough, and City of Whittier -- were approved by the Coastal Policy Council and federal government during FY 1990.

Today, the Alaska Coastal Management Program has largely moved from the preparation of new coastal programs to the implementation of approved programs now fully incorporated into the ACMP. In 1990, the ACMP disbursed about \$1.2 million in grants to coastal districts to partially support implementation activities and additional planning efforts. Local staff can implement the 31 approved programs by participating in local and State consistency reviews, conducting field inspections for permit decision-making, and commenting

to State and federal agencies on other planning and resource development activities.

In FY 1990, two coastal districts -- City of Thorne Bay and Aleutians West Coastal Resource Service Area -- were actively developing new coastal programs. Several other districts undertook additional planning activities, such as special area plans, a public use management plan, and revisions to older coastal programs. Other sections of this report provide more detailed information about district implementation and planning activities in FY 1990.

Coastal Policy Council Actions

The Alaska Coastal Policy Council held three meetings during FY 1990. On September 26, 1989, the Council met in Anchorage and approved the City of Whittier coastal management program. The Council considered an appeal received in 1988 from the City of Kaktovik and two local residents regarding a State oil and gas lease sale. The Council asked the State, North Slope Borough, City of Kaktovik and the oil company lessees to meet and attempt to reach agreements that resolve Kaktovik's concerns about the lease sale. A subcommittee was also appointed to work with staff on procedures to handle future petitions to the Council.

On January 30, 1990, the Council met in Anchorage and approved the City of Angoon and Kenai Peninsula Borough coastal management programs. The Council also conceptually approved a draft paper on the role of the coastal resource service areas and established a subcommittee to work with staff to refine the document. The Council received reports on the resolution of the Kaktovik petition and the subcommittee's efforts to develop petition procedures.

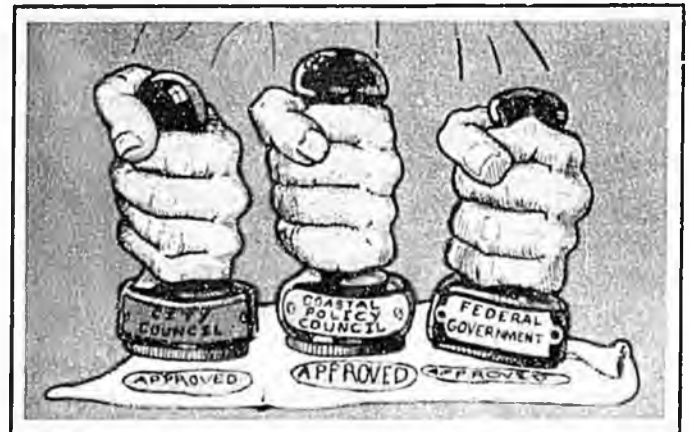
The Council met again in Anchorage on June 27, 1990 and approved the Nushagak and Mulchatna Rivers Recreation Management Plan/Area Which Merits Special Attention as a significant amendment to the Bristol Bay Coastal Resource Service Area coastal management program. A subcommittee reported on its consideration of a May 1 petition received from a local resident about the Juneau coastal district. The Council also adopted two resolutions that establish procedures for processing petitions and delegate authority to act on petitions on behalf of the full Council to a subcommittee consisting of four public and three State members.



Coastal Policy Council meeting (by DGC)

Coastal Policy Council Role in Implementation of the ACMP - Following extensive rulemaking during the early years of the ACMP (in the late 1970s), the Alaska Coastal Policy Council largely focused its attention on the review and approval of

numerous district programs developed by local governments and service areas throughout the state. In 1984, the Council adopted the consistency review regulations (6 AAC 50) that provide for a coordinated State process wherein proposed coastal projects are reviewed against State ACMP standards and enforceable district policies. The State consistency review process -- with project applicant, coastal district and State resource agency participation -- has been the major tool for implementation of the ACMP over the past seven years.



With 31 of 33 coastal districts having approved coastal management programs, the ACMP has shifted largely from program development to implementation, and the work of the Council now reflects program maturation. The Alaska Coastal Management Act provides a role for the Coastal Policy Council in assuring that approved district coastal management programs are properly implemented at both the State and local levels. A coastal district, citizen of a district, or State agency can petition the Council with concerns about district program implementation. The Act gives the Council the authority to direct a district or State agency to take any action to rectify the implementation problem.

The Council's attention to ACMP implementation was heightened when it received a petition in 1988 from the City of Kaktovik and two local residents that raised concerns about provisions in a State oil and gas lease sale to address polar bears, bowhead whales, caribou and oil spill contingency plans. During the ensuing two years, the nature and

effect of possible Council actions on petitions have been the topic of considerable public debate. During FY 1990, several actions occurred:

- At the request of the Council, the various parties to the Kaktovik petition met in December 1989 to consider face-to-face the issues raised in the petition. The petition was withdrawn.
- A bill to amend the Alaska Coastal Management Act and place the Council in an advisory role was introduced in the 1990 session of the Alaska Legislature, but did not pass. During Senate committee hearings and work sessions, the bill generated interest among coastal districts, Council members and the State Administration, with the debate largely focussed on State vs. local issues.
- The Council received a petition in May 1990 from a resident of Juneau who questioned a rezoning action by the Juneau coastal district. At an initial meeting of the parties before a Council subcommittee, the discussion focused on inconsistencies between the allowable uses in Juneau's coastal management program and in a recent rezoning ordinance. At the subcommittee's request, the petitioner and the district met further to consider the issues. The petitioner asked that the petition be put on hold, pending action by Juneau to amend its coastal management program.
- A Council subcommittee met to consider procedures for handling petitions. The subcommittee's efforts resulted in the Council's adoption, by resolution, of general guidelines for processing petitions at its June 1990 meeting.

Council action on petition issues continues in FY 1991. In August 1990, the coastal district serving the Yukon-Kuskokwim area petitioned the Council regarding a State consistency determination rendered on an offshore prospecting permit disposal in Goodnews Bay in western Alaska. The Ceñaliulriit district asserted that the Department of Natural

Resources (DNR) relied on inadequate information and that the district was not given due deference during the review. The Ceñaliulriit petition was processed according to the guidelines adopted by the Council in June 1990.

A Council subcommittee dismissed the Ceñaliulriit petition on October 8 -- 41 days after it was received. In a written finding, the Council concluded that DNR: 1) followed procedures for State consistency reviews and 2) properly considered Ceñaliulriit's policies when making its consistency decision. The Council's action, along with the DNR disposal actions, was appealed to Superior Court. Court action is anticipated in early 1991.

Federal Review of the Alaska Coastal Management Program

Every two years, the federal Office of Ocean and Coastal Resource Management (OCRM) reviews the performance of each state participating in coastal management nationwide. The biennial review of the ACMP occurred in FY 1990. OCRM staff spent two weeks in Alaska meeting with a wide array of ACMP participants and users in local, State and federal government agencies, Native and industry organizations, and the public.

The federal OCRM concluded that the State of Alaska is successfully carrying out the ACMP. Significant accomplishments during the 1987-89 period were noted, including an efficient review of State permits under the consistency review process, completion of several coastal district management programs, and coordination of a statewide shoreline cleanup in 1989.

As part of a written evaluation, OCRM made several recommendations for the ACMP which may then become tasks negotiated during subsequent federal grant applications. Recommendations being addressed during the current fiscal year include the need for State guidance to districts regarding water-dependent and water-related uses, planning for the close-out of unused North Slope reserve pits, and development of procedures to process appeals on district program implementation.

Coastal District Conferences

The DGC hosted two coastal district conferences in FY 1990 to provide a forum for the discussion of important coastal management issues, training to coastal communities participating in the program, and an opportunity for informal communications.

A workshop for southeast coastal districts was held in Juneau in December 1989. Agenda topics included U.S. Coast Guard actions to comply with MARPOL requirements and State waste management program, pending Tongass National Forest and State Forest Practices legislation, national no net loss wetlands management, public access, and State consistency review process. Several coastal

districts reported on activities and issues in developing and implementing their coastal management programs.

In April 1990, a statewide coastal district conference was held in Juneau. Topics covered were coastal district funding, the Coastal Policy Council's role in ACMP implementation, ACMP planning and the consistency review process, federal wetlands management programs, district wetlands management efforts, marine debris, and community involvement in oil spill prevention, planning and response. Several districts gave reports on their program development activities and implementation issues.

IMPLEMENTATION

The State Consistency Review Process

How it Works - The Alaska Coastal Management Program consistency review regulations establish a streamlined, coordinated process for reviewing and issuing State permits for proposed development projects affecting Alaska's coastal zone. Coastal development projects are reviewed to ensure that they are consistent with the standards of the Alaska Coastal Management Program and the policies of approved local district programs. The consistency review regulations (6 AAC 50) include procedures for project review, issue resolution and decision-making, with the full involvement of State agencies, affected local coastal districts, and the project applicant.

Projects reviewed for consistency represent the full range of resource development activities important to Alaska's economy: oil and gas, timber harvesting, mining, mariculture, and placement of fill for residential, industrial and public utilities development.

The Division of Governmental Coordination (DGC), as required by law and regulation, coordi-

nates the review of coastal projects by the State resource agencies (Departments of Environmental Conservation, Fish and Game, and Natural Resources) and the local coastal districts if permits are required from two or more State agencies, or a federal agency. State resource agencies are required by regulation to coordinate project reviews when only that agency's permits are required. Coordinators seek agency, district and applicant consensus on project approvals before a final decision is made.

The DGC maintains offices in Anchorage, Fairbanks and Juneau for convenient access by project applicants. Project reviews and consistency decisions occur within 30 days or, if a public notice is required, 50 days. Once a proposed coastal development project is found consistent with the Alaska Coastal Management Program and meets other agency permit requirements, State permits can be issued. State resource agencies are required to issue permits within five days of receipt of a conclusive consistency determination, unless additional review is necessary to meet other statutory requirements.

The consistency review process begins at the regional level. Participating State agencies, the project applicant, and the coastal district affected by the project can appeal regional consistency determinations to first, the directors of the State resource agencies, and then to the commissioners of the State resource agencies. Following is a description of some coastal resource issues "elevated" during FY 1990.

1. **Wetlands Fill** - This project involved the State's recertification of the U.S. Army Corps of Engineers (CORPS) General Permits for the placement of fill for specific purposes in certain categories of wetlands within the Municipality of Anchorage. At issue, from the State agencies' perspective, was whether the general permits had adequate stipulations to ensure that projects would be consistent with the Habitat and Air, Land and Water Quality Standards of the ACMP and the Anchorage Coastal Management Plan (specifically Chapter 9 of the Anchorage Wetlands Management Plan which addresses mitigation).

In the regional-level review, the State agencies and the Municipality of Anchorage developed a stipulation that allows for an Anchorage/State review of certain wetlands to identify appropriate mitigation measures and to bring fills into compliance with ACMP standards. The CORPS requested elevation of this decision because it opposed carrying a condition in the general permits that requires additional review, particularly since the original general permits had no such requirement. The CORPS was also concerned about the "enforcement burden" this condition would place on the CORPS if Anchorage at some point chose not to follow the review procedure.

During the director-level review, it was agreed that an additional review could satisfactorily be incorporated into the "Procedure" section of the general permits. The review procedure is limited to certain types of wetlands and has specific time

review periods. To summarize, the incorporation of a review procedure recognizes that mitigation measures may be necessary for fills in certain wetlands to meet the ACMP standards. (*Recertification of Anchorage General Permits, AK 890605-06A*)

2. **Residential Floating Facility Complex** - The applicant sought an after-the-fact authorization to retain a residential floating facility located approximately 40 miles northeast of Ketchikan. The project was found inconsistent at the regional level based on State agency concerns under the Habitat Standard (6 AAC 80.130) that a floathouse at the site would not maintain or enhance marine habitat important for a variety of waterfowl and marine birds.

The applicant (a private citizen) elevated to both the directors and commissioners who upheld the regional determination and found the project inconsistent, but offered to find a more suitable location where the floating facility could be relocated. The applicant appealed the decision to the Secretary of the U.S. Department of Commerce, but dropped the appeal based on ongoing settlement negotiations with the Alaska Department of Law. (*Behm Canal 65, AK 891025-15J*)



*Anchor Pass Floathouse, Behm Canal
(Jack Gustafson,DFG)*

3. **Drilling Waste Disposal** - The applicant, British Petroleum Exploration (BPX), proposed to drill auger holes to dispose of drilling wastes at a West Sak well pad, located 8 miles west of the Kuparuk Base Camp.

In the regional-level consistency determination, the Department of Environmental Conservation proposed stipulations (to be placed on the solid waste disposal permit) that required BPX to ensure that all deposited wastes be "permanently frozen" within two years of site closeout. BPX would also be required to automatically implement a program to analyze the unfrozen water content of waste deposited at the site if inspection indicated that seepage was occurring. BPX elevated the regional-level determination and requested that the State reconsider the definition of permanently frozen state and the requirement for analysis of the unfrozen water content of drilling wastes.

The modification of the permit stipulations addresses BPX's concerns and now allows for a water content test to be required when the information would be beneficial in determining the cause of a disposal pit failure. BPX was concerned that a specific test for unfrozen water content was being required when other tests may determine that unfrozen water did not contribute to the leaking of the pit. The State is assured that the solid waste disposal permit provides for remedial action in the event that the pit fails and leaking of contaminants occurs.

A conclusive consistency determination was issued without further elevation by BPX.
(West Sak Well Pad #14 Auger Holes Modification, AK 89013013-F)

ABC List Revisions - Under the consistency review regulations, development projects that may impact coastal resources and require State and/or federal permits are subject to an individual review for consistency with the ACMP. However, some

projects that will have no significant impact on coastal resources may be exempted from individual consistency review requirements and receive an expedited review.

The Classification of State Agency Approvals, also known as the "ABC" list, identifies permits and projects that qualify for an expedited consistency review and those which require an individual consistency review. Permits on the "A list" govern projects which would have minimal effect on coastal resources and would be categorically approved as consistent with the ACMP. The "B list" addresses projects that would be consistent if standard permit stipulations are applied. The "C list" identifies those permits that must undergo an individual consistency review.

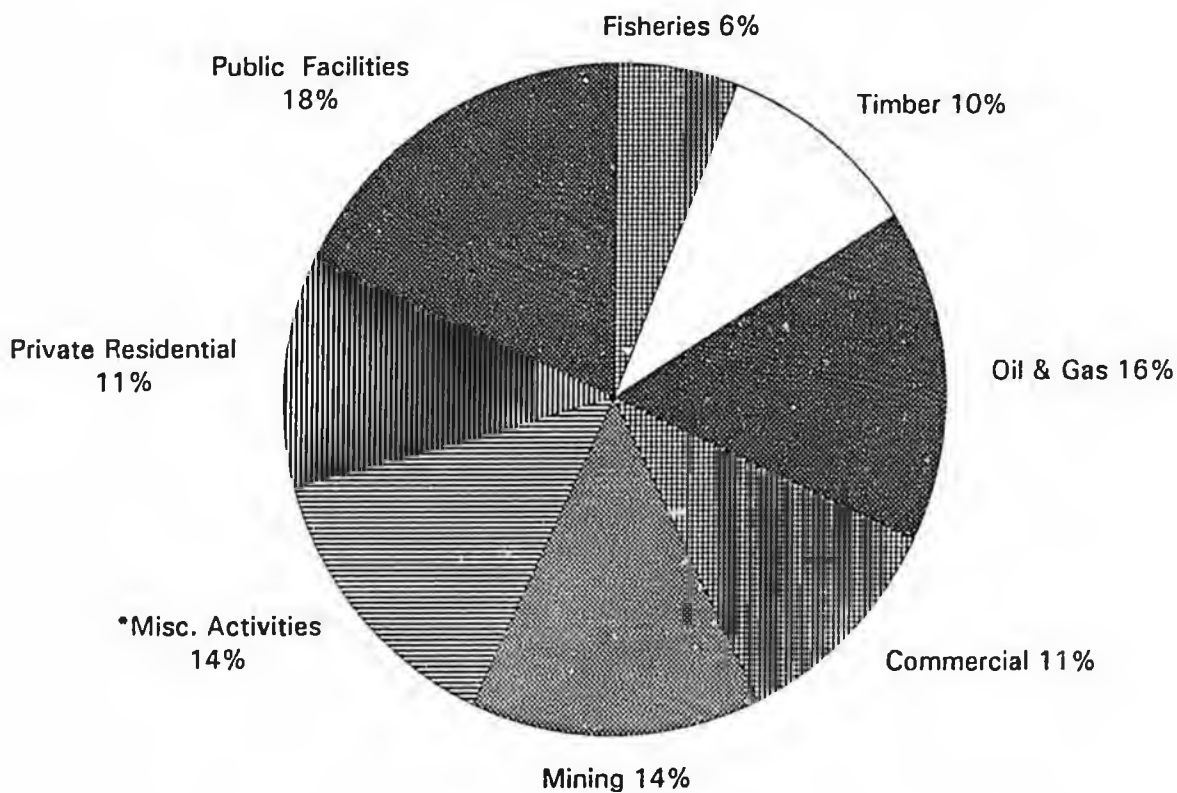
DGC, in conjunction with the State agencies and coastal districts, recently completed a revision of the ABC list, which originally went into effect in 1984. The revision eliminated permits and approvals which have no coastal effects from the list, added projects to the "A and B lists", and updated the overall classification by adding new permits and approvals with coastal effects, such as aquatic farming permits.

The DGC and State resource agencies will provide training, as necessary, on the use of the revised lists.

DGC-Coordinated Reviews in FY 1990 - During FY 1990, DGC coordinated the review of 450 coastal development projects for consistency with the Alaska Coastal Management Program. These projects were reviewed and consistency determinations issued within an average of 38 days. Nearly all projects were found consistent with the Alaska Coastal Management Program at the regional level and were permitted by the State. The pie chart on the following page portrays the types of coastal project reviews coordinated by DGC in FY 1990. In FY 1990, DGC also coordinated another 66 reviews of resource-related projects not requiring consistency determinations.

Coastal Project Review Activity Types

(Fiscal Year 1990)



Of the 450 coastal project reviews handled by the Division of Governmental Coordination, only

- 7 projects were elevated, and
- 2 projects were found inconsistent.

* (i.e. hydroelectric, guiding operations, special use permits, seismic activities, and bank stabilization)

Single Agency-Coordinated Reviews - Under the State consistency review regulations, the Departments of Environmental Conservation (DEC), Fish and Game (DFG), and Natural Resources (DNR) coordinate a review for a specific coastal project when only permits, leases or authorizations from that agency are needed by the project applicant. In these "single agency" reviews, the departments are required to use the same consistency review process as outlined for the Division of Governmental Coordination. In FY 1990, DEC coordinated 26 consistency reviews for wastewater and solid waste permits in the coastal zone. Also, DNR coordinated 266 consistency reviews for various departmental actions (e.g., land use permits, water rights, right-of-way permits, and mineral, oil and gas disposals of State interests). Title 16 anadromous fish permits issued by DFG are also subject to single agency consistency reviews.

Local Coastal District Implementation

A major vehicle for coastal districts to implement their local management programs is their participation in State consistency reviews of proposed coastal projects. Under the State regulations, coastal districts with coastal management programs that have been approved by the State and federal governments can fully participate in project consistency reviews. The State agencies look to the districts as the experts in interpreting local program policies during project reviews.

The level of coastal project review activity varies among the coastal districts. In FY 1990, DGC coordinated over 500 reviews statewide, with the number of projects ranging from 1 to 97 per coastal district. Reviews in a handful of districts averaged 48 during the year, while a few districts experienced three or fewer project reviews in FY 1990.

Coastal districts participate by submitting comments on proposed projects to the coordinating State agency. Overall, coastal districts commented on 65 percent of the DGC-coordinated reviews located within their district boundaries in FY 1990. Districts also participate in the "single agency" consistency reviews coordinated by the Departments of Environmental Conservation, Fish and Game, and Natural Resources.

Districts can also implement their coastal management programs at the local level through their Title 29 municipal planning, zoning and platting authorities. Over the years, a handful of districts have incorporated their coastal management programs into their local municipal code for the purposes of local land use regulation. In the municipal codes of Bristol Bay Borough, Cordova, Craig, Haines, City and Borough of Juneau, Kodiak Island Borough, North Slope Borough, Pelican, and Skagway building, land use or subdivision actions must conform, to varying degrees, with the local coastal management program.

Coastal Issues

The Alaska Coastal Management Program provides a forum for the development of State policy and the resolution of issues that arise in the management of Alaska's coastal resources. A wide range of coastal resources and issues -- wetlands management, mineral and oil development, forestry, marine debris and mariculture -- were addressed through the State's coastal management program in FY 1990.

Wetlands Management - National Wetlands Policy - During FY 1990, the State was active in the debate about a national strategy to protect existing wetlands and restore those lost in the past. Alaska succeeded in the National Wetlands Forum and the national and western Governors' associations in encouraging others to adopt a flexible policy.

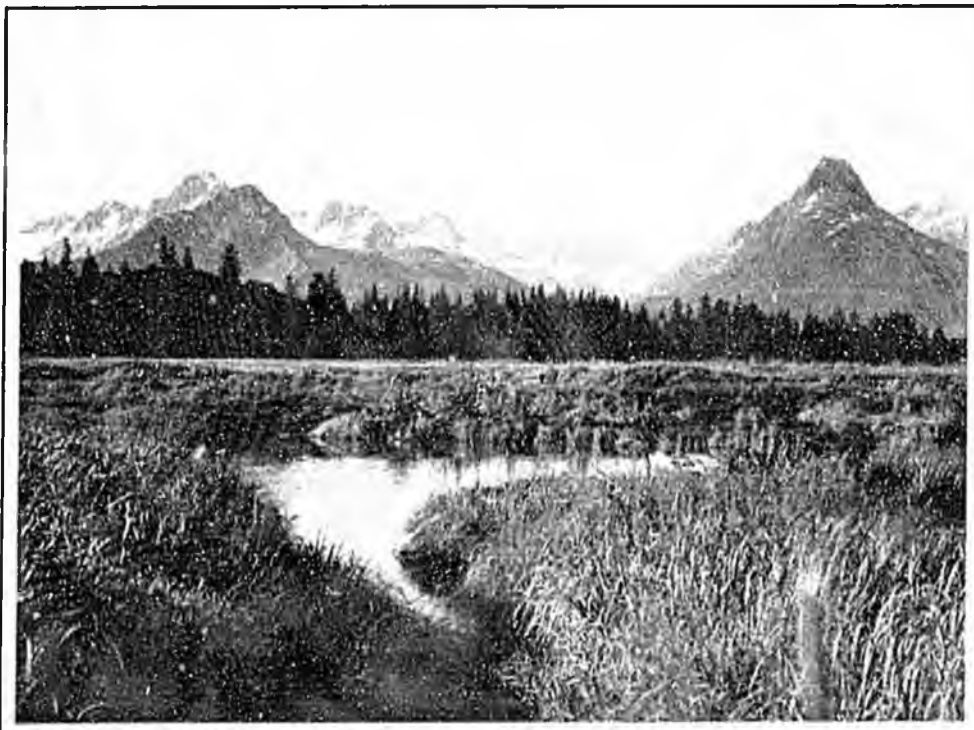
On behalf of the Governor's Office and the resource agencies, the Division of Governmental Coordination coordinated the development of the State's specific wetlands policy recommendations to the National Wetlands Forum and President's Domestic Policy Council. Governor Cowper's response to President Bush in March 1990 indicated that national wetland policy must:

- be developed in a full public process;
- be flexible with regard to regional differences in wetland characteristics, losses and protection;
- be implemented through State, regional or local planning;
- provide for and rely upon a detailed inventory of wetland acreage, function, and value;
- promote funding of research and development of successful wetland restoration creation techniques;
- establish achievable and measurable conservation and management objectives for each wetland type; and
- include a sequence of wetland mitigation options.

Establishing national policy for wetlands protection is a continuing process. Within Alaska, wetlands management strides are made through project consistency reviews and wetlands mapping and planning by coastal districts funded under the Alaska Coastal Management Program.

Offshore Placer Gold Mining - Offshore placer gold mining continued in 1990 on existing State mining leases near Nome, and additional areas in Norton Sound were evaluated. The 1990 mining season marked the fifth season for operation of the BIMA, the large bucket-line gold dredge operating offshore of Nome in Norton Sound. However, operations ceased in September 1990 because of the low price of gold, the high cost of operation and a major mechanical failure that occurred midway through the 1990 season. Because of industry interest in this area, in 1988 the Division of Governmental Coordination sought funds from the federal Minerals Management Service to establish a federal-State coordination team on offshore mining in federal waters in Norton Sound. The Department of Environmental Conservation co-chair; the team with the Minerals Management Service. The team, composed of State and federal regulatory agencies, scientists, industry advisors and other parties, continued to meet throughout FY 1990 to review offshore mining issues.

A primary issue was the potential for resuspension and bioaccumulation of mercury. State-of-the-art trace metal sampling and analysis occurred in the proposed sale area in response to the coordination team efforts. The results were included in the environmental impact statement for the proposed sale. In 1990, DGC coordinated the State review of the environmental impact statement and other federal decision documents for the proposed offshore sale. The Governor's final response was completed in October 1990, and the sale is scheduled for February 1991.



Valdez Duck Flats (Elise Huggins)

Hard Rock Mining - Interest in hard rock mining is increasing in Southeast Alaska as well as in British Columbia. Hard rock mining typically requires permits from each of the three State resource agencies and from federal regulatory and land management agencies. As mining projects progress from the initial exploration and to the development stages, the number of permits increases and the complexity of the project reviews intensifies.

DGC is currently coordinating the review of the revised mine plan for the Windy Craggy mining project. Geddes Resources, Ltd. is proposing to mine for copper, gold and silver on Tats Creek in the Tatshenshini-Alsek river system. In April 1990, the State reviewed the Stage I documents which contain project plans and an environmental and socio-economic impact assessment. During its review, the State identified several issues associated with the potential problem of acid rock drainage. State comments on the revised mine plan are due to Environment Canada, a Canadian federal agency, in February 1991.

DGC is also facilitating the State's response of the proposal by Echo Bay Exploration, Inc., to reopen the Alaska-Juneau Mine in Juneau. The project involves lands under local, State and federal jurisdiction. The project proposal was submitted in the spring of 1990 and revised in May 1990 to address new issues and concerns. Required permits were identified and applications submitted. The State consistency review is expected to follow the National Environmental Policy Act review during the summer of 1991.

The State review of the U.S. Borax permit applications for the Quartz Hill Mine continued in FY 1990. Agencies identified concerns related to air emissions, water use, and tailings disposal. The State had anticipated that these issues would be addressed and resolved in a manner which satisfied the regulatory requirements and industry's operational needs through the State consistency review process coordinated by DGC. However, Environmental Protection Agency's denial of the National



Windy Craggy site in British Columbia

Pollutant Discharge Elimination System permit application terminated the review of the project as proposed.

Seasonal Drilling Restriction Policy - In August 1988, the State initiated a review of its Seasonal Drilling Restriction Policy for oil and gas exploration activities in the Alaska Beaufort Sea. Following lengthy consultations among the State resource agencies, North Slope Borough, and interested parties, the State Resource Cabinet adopted a revised Seasonal Drilling Restriction policy in March 1990. The State concluded that a revised policy was needed: 1) to maximize conformance with the habitat and subsistence standards of the ACMP and the North Slope Borough coastal management program, and 2) to assure continued and uninterrupted opportunities for subsistence usage of coastal areas and resources. The policy includes new timing and geographic restrictions on drilling and support activity for operations located in three subsistence whaling zones during the bowhead whale migration period. The zones correspond to the Beaufort Sea communities of Kaktovik, Nuiqsut and Barrow which rely on the

bowhead whale as part of their traditional subsistence culture. The State resource agencies and the North Slope Borough will use the revised policy to interpret the ACMP standards and the Borough's coastal management program policies when reviewing exploration activities for consistency with the Alaska Coastal Management Program.

Forestry - During FY 1990, DGC coordinated the State's consistency review of 56 proposed timber-related projects. These included federal timber sale proposals that directly affect the coastal zone and timber transfer facilities which are needed by private and public applicants and are located in coastal waters.

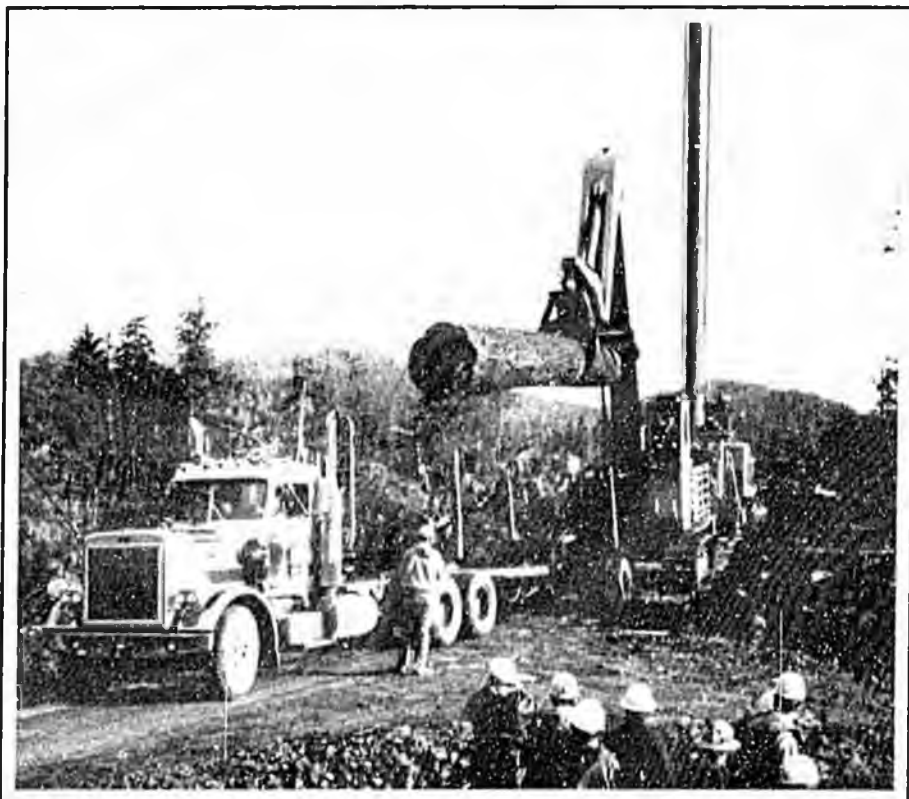
In May 1990, Governor Cowper signed into law the 1990 Forest Resources and Practices Act which revises Alaska's timber harvest and processing practices. Passage of the act completed 18 months of effort by the Alaska Forest Practices Review Steering Committee, formed by the Governor to facilitate an objective and balanced review of the Forest Practices Act, regulations and implementation. Representatives of the timber industry, private and municipal timber landowners, commercial fishing and environmental organizations, and State resource agencies served on the committee.

The revised Act provides for:

- an expanded system of enforceable regulatory standards;
- mandatory no-cut buffers in riparian management zones;
- enhanced notification and public and agency review;
- revised enforcement procedures and strengthened penalties for violations;
- a stronger role for the Departments of Environmental Conservation and Fish and Game;
- increased emphasis of wildlife and other non-timber uses; and
- a newly constituted Board of Forestry which balances industry and environmental interests.

The original 1978 statute (AS 41.17) and the Division of Forestry regulations were incorporated into the ACMP in 1979 by reference under the Timber Harvest and Processing Standard (6 AAC 80.100). Accordingly, the State has used the Forest Practices Act as a standard of review of timber cutting activities and associated road construction on federal lands.

Following federal Office of Ocean and Coastal Resource Management concurrence and public notice on October 31, 1990, the revised Forest Practices Act became the standard for State review of federal timber harvesting operations through the federal consistency requirements of the Coastal Zone Management Act. The 1990 Act, which includes fish and wildlife habitat and water quality standards, replaces 6 AAC 80.100 (Timber Harvest and Processing), 6 AAC 80.130 (Habitats), and 6 AAC 80.140 (Air, Land, and Water Quality) as the review standard for federal timber harvest activities. However, the revised Forest Practices Act does not alter the current process of reviewing other activities that require separate State and federal authorizations, such as in-stream work, upland camp construction, and log storage and transfer sites against all ACMP standards.



Logging Operation (Bruce Johnson, DNR)

Marine Debris - Alaska's coastal waters and beaches are being degraded by an accumulation of litter and other debris, particularly plastic, because it is long-lasting and has a tendency to float. Problems associated with marine debris include:

- fish, birds and marine mammals become entangled in drifting debris and starve or suffocate;
- floating debris damages boats by fouling propellers and clogging water intake cooling ports; and
- debris that washes up on beaches is aesthetically offensive and may pose health risks.

To address these problems, in December 1987 the United States ratified an amendment to the MARPOL (marine pollution) International Treaty which prohibits ships from disposing of plastics and other synthetic materials in the oceans. The U.S. Plastic Pollution Research and Control Act contains additional requirements for disposal of ship-generated wastes. All ports must provide adequate reception facilities for garbage brought in by ships. U.S. Coast Guard regulations implementing these requirements were updated in May 1990 to require vessels to display educational placards about marine garbage pollution. In FY 1990, DGC assisted with printing and distributing these placards to major fishing port harbormasters and coastal district contacts throughout coastal Alaska.

Governor Cowper declared May 1990 "Marine Litter Cleanup Month". DGC participated in the statewide Marine Debris Action Group efforts to encourage beach cleanups and to increase public awareness of the problem of marine debris. Informational kits were provided to both educators and to private citizen' groups organizing beach cleanups. As a result of these efforts, volunteers in at least seven Alaska coastal communities participated in the 1990 beach cleanup. They collected trash and recorded the information on data cards which were sent to the National Center for Marine Conservation for analysis. Also, the Center's national report, "Cleaning North America's Beaches," provides a breakdown of the most prevalent debris

found on Alaska beaches: pieces of glass and plastic, metal beverage cans, plastic caps and lids, plastic rope and plastic trash bags.

Mariculture - Implementation of the Aquatic Farm Act (Chapter 145 SLA 1988) began in FY 1990 with Aquatic Farm district openings in Southeast and Southcentral Alaska and the completion of the Alaska Finfish Farming Task Force Report to the Alaska Legislature.

A 60-day opening in September-October 1989 attracted 54 applications for shellfish and aquatic plant farm proposals located throughout Southeast Alaska. A joint processing project review encompassed the Department of Natural Resources site planning and public hearing requirements and the ACMP consistency review requirements.

Consistency issues during the Southeast review focused on the potential for aquatic farm activities to affect: subsistence opportunities; sensitive habitat; recreation uses; and air, land and water quality at proposed sites. Four projects were found inconsistent with the Alaska Coastal Management Program standards while thirty-two projects were found consistent.



Oyster Farm on Blashke Is. (Steve McGee, DFG)

A development plan for each species proposed to be cultured was prepared by the Department of Fish and Game during the FY 1990 review to aid State agencies in assessing project feasibility. A development plan is now required for each species as part of the application packet. The Department of Natural Resources aquatic farm regulations consider an applicant's demonstration of reasonable use of the site, consistency with State Area Plans, impacts to State land selections, upland management conflicts with aquatic farm activities, and protection of the environment and natural resources of the area. Twenty seven DNR and DFG aquatic farm approvals were issued in Southeast Alaska after the eight-month review period.

Five aquatic farm districts in Southcentral Alaska were opened for applications during May and June 1990. Thirty-six applications are under a review scheduled to end in March 1991, including a shellfish hatchery proposal and a grouping of nine farm proposals requested within the Kachemak Bay Critical Habitat Area in Jakolof Bay. The preliminary issues are: excessive tideland and submerged

land requests, maintenance of public access around floating facilities, culture gear proposed for shallow sites, and shellfish farms proposed for sites in the vicinity of sewage outfall lines.

The Finfish Farming Task Force report to the Alaska Legislature was completed on January 15, 1990. The report examines protection of the existing fisheries resources, farm siting, broodstock, regulatory costs, economic benefits vs. costs of finfish farming, and improving the marketability of Alaska salmon.

Finfish farming in Alaska was banned during the 1990 legislative session (Chapter 91 SI A 1990). However, intent language directed the Department of Fish and Game to work with the House and Senate Resources Committees to craft language for introduction of a bill in 1991 that would authorize upland farming of "non-salmon" finfish. Legislation also passed which authorizes shellfish farming in Kachemak Bay State Park but is narrowly written to apply only to existing operators within the park. Permits last five years, and preference rights lapse if the right of renewal is not exercised.

COASTAL DISTRICT STATUS REPORTS

This section highlights each coastal district participating in the Alaska Coastal Management Program and focuses on their planning and implementation activities during FY 1990.

Aleutians East Borough

The Aleutians East Borough's Coastal Management Program received federal approval in May 1989. The borough is revising its program document to reflect changes that occurred during the approval process and to include additional areas within the borough. The borough intends to complete its revision in 1991.

Aleutians West Coastal Resource Service Area

The Aleutians West Coastal Resource Service Area (CRSA) completed a milestone in program development with the publication of its public hearing draft, which was widely distributed for public review. Public hearings on the draft were held in Unalaska, Nikolski and Atka.

There is a high level of project review and permitting activity for the western Aleutians. Once the CRSA board approved the policies in the public hearing draft, the CRSA began submitting advi-

sory comments to assist agencies reviewing proposed projects. The CRSA and the City of Unalaska also held a resource agency meeting in Unalaska. The goals were to introduce agency staff to Unalaska's economy and environmental issues and to give the public an opportunity to meet with agency representatives.

Anchorage

The Anchorage Coastal Management Program and the Anchorage Wetlands Management Plan, in place since 1981 and 1982 respectively, assist the Municipality in balancing development and resource protection in the city's coastal zone. Using these local plans, the Municipality processed nearly 100 project consistency reviews and wetlands determinations during FY 1990.

Over the years, the municipality has focused considerable effort on the proper management of wetlands. In FY 1990, updated wetlands maps on recent photography of the Anchorage Bowl and Turnagain Arm areas were completed. In addition, the Anchorage Wetlands Assessment methodology was completed and was used for several Southcentral Alaska fill projects. Municipal coastal staff also mediated a mitigation stalemate centered around two fill projects in the Port of Anchorage. Drawing upon staff's knowledge of the sites (many of which are outlined in the Municipality's *Potential Mitigation Sites* report funded by the ACMP in FY 1988), a solution was reached in 1990. It provides for acquisition of privately-owned wetlands elsewhere in the city to offset the fill of wetlands in the Port area.

Currently, the Municipality is developing an Area Which Merits Special Attention (AMSA) for the Port and adjacent shoreline to provide for orderly maritime development, to facilitate permitting and mitigation actions, to protect important coastal resources, and to provide increased public access to the waterfront. The Anchorage Waterfront AMSA planning is jointly funded by the ACMP, Port of Anchorage, Alaska Railroad and the Municipality of Anchorage.

Angoon

The Angoon Coastal Management Program was approved by the Coastal Policy Council on January 30, 1990 and became fully effective for local, State and federal consistency review purposes in May 1990. The program focuses on protecting traditional and customary uses and the habitats upon which these activities depend.

The City has produced a brochure to further inform both the local and visiting public about their program.

In FY 1991, the City of Angoon is developing an Area Which Merits Special Attention plan for Mitchell, Hood and Chaik-Whitewater Bays. The residents of Angoon want to ensure that traditional use will be one of the primary management goals and that subsistence opportunities will be maximized.



Kootznahoo Inlet (Peter Metcalfe)

Annette Island

A coastal management program for the Annette Island Indian Reserve (Metlakatla) became effective in 1980. Local and federal consistency are applicable but State consistency is not applied because of the special legal status of the reserve.

Areas Which Merit Special Attention (AMSA) in Southern Southeast Alaska

In July 1983, the Coastal Policy Council designated six areas which merit special attention in southern southeast Alaska and approved management plans for them. The six areas are on southern Prince of Wales Island, near the City of Hydaburg. The AMSAs were designated because of their importance for traditional and customary resource use by residents of the region. Several of the areas are also used for activities such as timber harvest and mining.

Bering Straits Coastal Resource Service Area

The Bering Straits CRSA Coastal Management Program became effective in December 1989 for State and federal consistency reviews. The program seeks to protect the traditional subsistence hunting and gathering uses of coastal resources while accommodating commercial fishing and placer and offshore mining activities in the region. During FY 1990, the district participated in 17 consistency project reviews.

The Bering Straits CRSA continued to actively participate on a coordination team working on the proposed federal offshore mining lease in Norton Sound. Bering Straits staff spent considerable time reviewing the Draft Environmental Impact Statement for the lease sale during FY 1990.

Bethel

The City of Bethel updated several local mechanisms used to implement the Bethel Coastal Management Program during FY 1990.

Projects included aerial photographs for a basic mapping project, development of a land use ordinance, and clarification of property ownership. These accomplishments will boost staff's ability to carry out the Bethel Coastal Management Program through local review and permitting -- important because most activities in Bethel require only local review.

Bristol Bay Borough

The Bristol Bay Borough Coastal Management Program has been used successfully since 1984 to guide coastal management decisions. Implementation of the program is accomplished through the building permit program, the subdivision ordinance and the clearing and grading ordinance. During FY 1990, the borough amended its building permit, or "site development permit" program, and reviewed 36 site development proposals. The Planning and Zoning Commission completed a borough-wide zoning ordinance and recommended adoption to the Assembly. The Bristol Bay Borough is a member of the Marine Advisory Task Force which is studying marine pollution under MARPOL and the Plastic Pollution Research and Control Act. This action is coordinated through the Southwest Alaska Municipal Conference and is funded under a grant from the Department of Environmental Conservation.



Port of Naknek, Bristol Bay (James Zuelo)

Bristol Bay Coastal Resource Service Area

The Bristol Bay CRSA Coastal Management Program received federal approval in 1987. During FY 1990, the Bristol Bay CRSA provided consistency recommendations on 28 projects including State and federal management actions. Monitoring efforts included responding to requests from residents about whether ongoing projects and activities were properly authorized.

In recent years, the Bristol Bay CRSA focused its efforts on developing an Area Which Merits Special Attention (AMSA) plan for the Nushagak and Mulchatna River drainages. The Nushagak and Mulchatna Rivers Recreation Management Plan was prepared by the Department of Natural Resources, Department of Fish and Game and the Bristol Bay CRSA through a cooperative effort to address commercial recreation development in these drainages. The plan identifies goals, management intent and public use sites for 25 management units in the planning area; specifies management policies for permanent and temporary facilities and other development; and includes implementation procedures and recommendations for future management of the area. The Coastal Policy Council approved the plan as an AMSA in June 1990. It was then adopted by the Department of Natural Resources as a management plan for State lands. The plan was federally approved and became effective for consistency purposes in August 1990.

Ceñaliulriit (Yukon-Kuskokwim Area) Coastal Resource Service Area

Ceñaliulriit wishes to reserve adequate water in the Tuluksak River for navigation, water quality and fish and wildlife preservation and propagation. To do so, Ceñaliulriit is preparing to apply for an in-stream flow reservation from the Department of Natural Resources. Ceñaliulriit technicians measured in-stream flow and collected data on the river during FY 1990.

The CRSA was extensively involved in the review of an Offshore Prospecting Permit (OPP) disposal

for platinum mining offshore of Goodnews Bay. To address concerns, the CRSA commented during the consistency review process, elevated the proposed determination, and petitioned the Coastal Policy Council about the final determination. Ceñaliulriit is party to action in the Superior Court concerning the OPP disposal. The CRSA also worked on legislation to create the Goodnews Bay Critical Habitat Area; the legislation was not enacted by the 17th Legislature.

Cordova

During the first half of FY 1990, the City of Cordova staff were coping with the overwhelming social and economic impacts of the March 1989 Valdez Exxon oil spill. The city continues to coordinate with the Cordova Oil Spill Response Office and keeps abreast of oil spill related issues that may affect the Cordova Coastal District, Prince William Sound, and the Gulf of Alaska. The city reviewed the Alyeska Oil Spill Contingency Plan and assisted the Cordova Oil Spill Response Office in completing a coastal project questionnaire prior to implementing its Winter Cleanup Plan.

In January 1990, a new city planner assumed coastal management responsibilities. The city has focused on fully participating in the consistency review process and educating the public about the Cordova coastal management plan. Since January, nine development proposals solicited by the city for two new fill areas zoned for commercial and industrial use have been reviewed for consistency with the Cordova coastal management plan.

Craig

During FY 1990, the City received approval to expand the area covered by its district program policies to include the entire coastal district boundaries. At the time of Coastal Policy Council approval, these policies applied only to a portion of the Craig municipal boundaries. The property owners newly covered by coastal district policies were notified and sent copies of the approved program.

Policy implementation related to floathouses remains a problem. Difficulties arise, in part, because the City is not always notified when floathouses change ownership. The City proposed a floathouse moorage area that has not been built because of the high cost. In the coming year, the floathouse policies in the coastal program will be reviewed.

Haines

The City of Haines began to revise their entire plan to reflect changes in conditions since the original program was approved in 1980. Extensive research was conducted and the Resource, Inventory and Analysis was revised during FY 1990. These revisions were distributed for public and agency review. The City is continuing with the next phase of revision to their plan.

Hoonah

In FY 1990, the City of Hoonah reviewed several proposed development projects for consistency with the ACMP and the Hoonah Coastal Management Program. These included highway and ferry terminal projects, a cold storage facility, a fish processing plant and a housing development.

Hydaburg

The Hydaburg Coastal Management Program, approved in 1984, reflects a commitment to resource and habitat protection and access to traditional subsistence use areas. The city also prepared an Area Which Merits Special Attention plan for the Hydaburg River and watershed, which supplies the city's drinking water. The city adopted a watershed protection ordinance to limit development within the watershed to activities that will not adversely affect drinking water quality.

City and Borough of Juneau

The City and Borough of Juneau (CBJ) Coastal Management Program and Downtown Waterfront Plan became effective in

November 1986. During FY 1990, CBJ participated in 30 State consistency reviews coordinated by the Division of Governmental Coordination and reviewed 37 projects that required a local CBJ consistency approval. In FY 1990, the district completed a draft of a revised Table of Permissible Uses that shows uses permissible in each of the coastal zoning districts. The revised table better incorporates Juneau coastal management program policies into the Juneau Municipal Code by integrating waterfront zoning districts into the regular zoning district table of uses. The table will be completed in 1991.

A petition to the Coastal Policy Council was filed in FY 1990 by a Juneau resident who alleged that a CBJ rezoning action did not comply with Juneau's coastal program. The petition resulted from, in part, lack of clarity in the Juneau coastal program's special waterfront designations and their relationship to zoning. The CBJ initiated revisions to clarify this part of its program. The petition was put on hold at the request of the petitioner, pending completion of the program revisions.

Work continued on the Juneau Wetlands Management Plan during FY 1990. A response to comments on the public hearing draft was distributed in February 1990. The CBJ and State agencies held several meetings to discuss remaining concerns with the wetlands plan. The planning commission and the assembly conceptually approved



Juneau (Division of Tourism)

the Juneau Wetlands Management Plan in November 1990. The concept approved plan will be considered for approval by the Coastal Policy Council in 1991.

Kake

In 1989, the City of Kake annexed 13.85 square miles, thereby adding a significant amount of land to the existing 0.89 square miles within the city. Consequently, the City of Kake began to revise the Kake Coastal Management Program, originally approved in 1985. Mapping is completed and a draft Resource Inventory and Analysis has been initiated.

Kenai Peninsula Borough

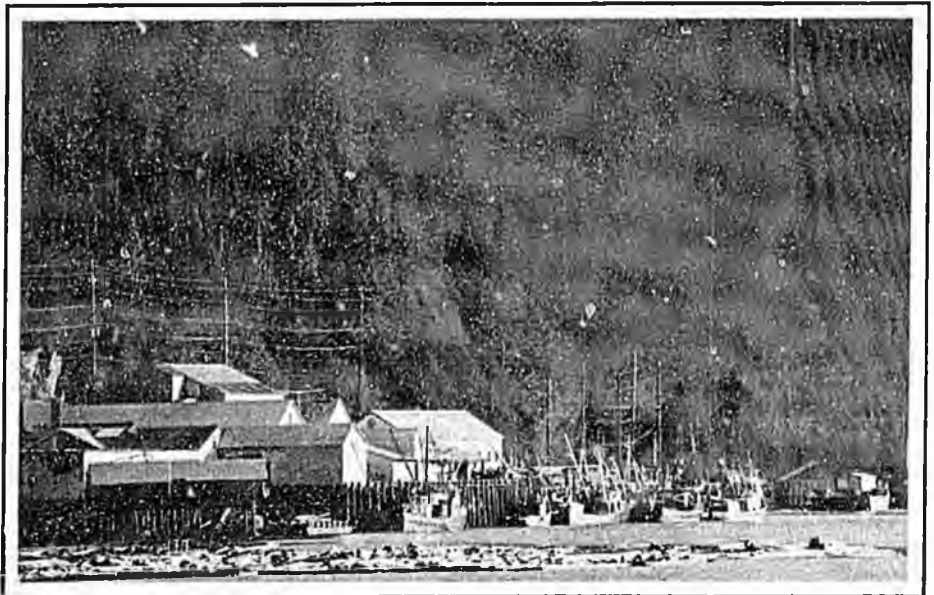
The Kenai Peninsula Borough completed its coastal management program, an accomplishment years in the making. The Plan took effect for consistency review purposes in July 1990.

The Kenai Peninsula Borough annually reviews about 100 permit applications for proposed development projects. In FY 1990, proposed projects included oil and gas, transportation, fishing, hydropower, wetlands fill, mining, wastewater and sludge disposal, timber harvest and mariculture activities. Kenai is developing a permit tracking system and procedures to facilitate recording and monitoring of permits for individual projects.

The Kenai Peninsula Borough is developing plans for two areas which merit special attention: Kasilof River and English Bay/Port Graham. Working with State and federal agencies, Kenai has also been developing data on soils, vegetation and other features of the Kenai River.

Ketchikan Gateway Borough

The Ketchikan Gateway Borough's Coastal Management Program took effect in 1984 and addresses major issues concerning waterfront development and sensitive habitats. During FY 1990, the borough began to review and rewrite the



Ketchikan Waterfront (Hall Anderson)

coastal plan so that the program and its policies will be consistent with the borough zoning ordinance and the comprehensive plan. The comprehensive plan is undergoing significant modifications and is scheduled for completion in the fall of 1991.

The borough continues to be actively involved in the review of projects for consistency with its plan. Some activities reviewed during FY 1990 include tideland fills, log transfer facility, an aquaculture project, and a wastewater treatment plant.

Klawock

The Klawock Coastal Management Program was approved in June 1984. Recently, the city developed proposed amendments to correct outdated information in its plan. With three-quarters of the city's boundaries as tidelands, the City is preparing a tidelands plat so that local permit reviews can be accomplished. The City also produced a brochure to educate the City Council, Planning Commission members, and the general public about the features of its coastal management program.

Kodiak Island Borough

Kodiak determined that the Kodiak Island Borough Coastal Management Program, adopted in 1984, is best implemented through local subdivision and zoning ordinances. Towards this end, the subdivi-

sion ordinance was revised in FY 1990 to require that the Planning and Zoning Commission take into consideration the policies of Kodiak's coastal program and place conditions of approval if necessary to ensure compliance.

The borough annually reviews and revises the zoning compliance permit form that includes a checklist for determining whether a development activity is in compliance with the borough ordinances, including the Kodiak Coastal Management Program. Use of this form has solved implementation problems identified in the past. In FY 1990 the borough participated in 39 State project reviews. The Planning and Zoning Commission reviewed 155 local development requests and the Community Development Department reviewed 309 local projects for compliance with the borough ordinances, including the coastal program.

In FY 1990, the borough initiated a project to identify and map wetlands in the Kodiak Island Borough's urban area, approximately 35 square miles. Orthophotos of the area were taken and mylar overlays are being produced. The overlays will be reviewed for accuracy, and a team from the U.S. Fish and Wildlife Service and the U.S. Corps of Engineers (CORPS) will visit Kodiak to make further corrections and do field verification. The borough may then request that the CORPS issue a general permit for certain wetlands in the urban area.

Matanuska-Susitna Borough

The Matanuska-Susitna Borough Coastal Management Program, approved in 1984, describes a wide variety of coastal resources and guides development in the coastal area of the borough. During FY 1990, the borough participated in State consistency reviews through its own resources since it did not seek ACMP grant funds.

The borough is revising its coastal management program policies and implementation chapters. The borough is also undertaking an Area Which Merits Special Attention plan for the Point MacKenzie area, which includes a proposed port area, agricultural lands, transportation corridors, and other residential/recreational land uses.

Nome

During FY 1990, the Nome Planning Commission examined applications for nearly 50 activities requiring ACMP consistency reviews, ranging from placer mining, offshore mining, seafood processing, to fish habitat (Title 16) actions and fills.

In recent years, the city has undertaken a geohydrological study of Moonlight Springs, the municipal watershed and an area of mining activities. The study has focused on identifying the watershed and recharge area as well as basic water quality sampling. During FY 1990, the city issued two development permits for mining activities within the watershed and continued its monitoring in the area.

In FY 1990, the city continued its active participation in the coordination team reviewing a proposed federal lease sale for offshore mining in Norton Sound. The city reports that the high costs of offshore dredging in Norton Sound -- as experienced by WestGold with the BIMA dredge that recently ceased operation -- are not expected to encourage bidders for the federal sale. The city does not anticipate much staff effort being directed to offshore mining in 1991 and has shifted its attention to proposed hard rock mining exploration ventures in the area.

North Slope Borough

The North Slope Borough Coastal Management Program, approved in 1988, recognizes the benefits to borough residents of both a healthy subsistence economy and coastal resource development. In FY 1990, the Borough completed a revision of the local land management regulations and formally adopted offshore development and coastal management policies into its municipal code (19.70.040 - .050).

In FY 1990, the Borough continued work on area which merits special attention (AMSA) plans for the Colville River Delta and Kasegaluk Lagoon. Initial resource inventory and preliminary work on goals, objectives, and policies were completed during FY 1990. Following changes in staff and coastal priorities, the AMSA project was sus-

pending in early FY 1991 and may be resumed at a later date.

Northwest Arctic Borough

The Northwest Arctic Borough's Coastal Management Program received federal approval in December 1989. Changes were made during the federal approval process to the subsistence use and mitigation policies. The program also addresses other issues such as management of mineral development and local involvement in State and federal planning activities.

The program identifies special habitat policy areas where policies specific to the resources and uses of each area apply. Also, the district boundaries include certain upland areas in order to address activities affecting the region's anadromous fish resources. The coastal program serves as the basis for a comprehensive plan now being prepared by the borough.

Resource information included in the program is being digitized to allow for rapid computer access. Mining at the Red Dog site and a number of placer mining projects were the subject of reviews and field visits conducted jointly with State resource agencies.

Pelican

The City of Pelican Coastal Management Program includes a land use plan and a community design section. The city adopted a zoning ordinance and a building permit process to implement its district program. This provides Pelican residents with a vehicle to review proposed local projects for consistency with its coastal program.

The City of Pelican annexed 273 acres of land and increased the size of the Pelican coastal district from 49 to 322 acres. In FY 1990, the city began revising its coastal program resource inventory to include this new area. Areas to be addressed include the Pelican Creek watershed and recreation areas important to the community, such as Whiskey Flats.

Saint Paul

The City of Saint Paul published the 1989 Salt Lagoon Monitoring Report. This was the third year of the monitoring program. The study is designed to study the effects of harbor and upland development on the Salt Lagoon.

The City of Saint Paul is concerned about development that does not require local permits and thus proceeds without local government guidance. The City developed a proposed Permit Monitoring Program to encourage State agencies and developers to work more closely with the City in project planning and review.

City and Borough of Sitka

Sitka revised its coastal management program in 1989. It saw the need to develop management guidelines and policies for areas with unique values and areas heavily used for recreation and personal use resource gathering. In FY 1990, Sitka completed field visits, analysis and mapping of sites throughout its 4,710 square miles. The Sitka District worked with a Citizens Committee to prepare a draft Public Use Management Plan that provides site-specific policies for these unique recreation/subsistence use areas.

The City and Borough of Sitka participated in nearly 50 consistency reviews. Sitka commented on projects ranging from dock and boat launch facilities, floathouses and aquaculture farms, log storage and transfer facilities and aquaculture farms, to a hydroelectric project. Sitka also met



Pelican Boardwalk (Mary Bixby)

regularly with the U.S. Forest Service concerning management of the Tongass National Forest in relation to the Sitka coastal program.

Skagway

The City of Skagway was active on a number of fronts this past year. Skagway made major changes to its planning and zoning codes. Most significant were changes to the zoning map and zoning code, to include a new waterfront zone. The amended code calls for more thorough review of development projects in the port area, with particular attention given to coastal management concerns and public amenities. Skagway updated its building permit application to address a number of local and State requirements. Skagway also revised its Public Lands Code.

A public hearing draft of plans for two areas which merit special attention, the Port of Skagway and Skagway River, was distributed for public review. This planning process is valuable for identifying issues and conflicts and establishing policies for project development and conflict resolution. The City also devoted time and effort to reviewing two major port development proposals.

Thorne Bay

The City of Thorne Bay on Prince of Wales Island was designated a coastal district in 1989 and during FY 1990 began developing a coastal management program. The City completed its draft statement of Issues, Goals and Objectives and its draft Resource Inventory and Analysis, which include a description and maps of the coastal district boundaries.

Public involvement and agency coordination meetings were held throughout the planning process. Some of the major issues that the community hopes to address are the designation of acceptable waterfront uses and the protection of the municipal watershed.

Valdez

During FY 1990, the City of Valdez experienced a tremendous amount of activity associated with the Exxon Valdez oil spill. This activity placed a strain on the Community Development Department, which is responsible for the implementation of the Valdez Coastal Management Program. A new Director of the Community Development Department, hired in early 1990, initiated planning for the Valdez Duck Flats Area Which Merits Special Attention.

The Duck Flats provides important and productive habitat for many fish and wildlife species and is a resource of scenic value to residents and visitors alike. The Duck Flats and adjoining shorelands are also strategically located from the standpoint of harbor and transportation facilities. As additional marine industry-related growth takes place, new demands could be placed on these facilities and the adjoining shorelands. The complex land ownership pattern in the Duck Flats requires a cooperative planning effort. A resource inventory and analysis and a discussion of issues and conflicts were completed in FY 1990 and presented in a Phase I report. During FY 1991, Valdez intends to complete the public hearing draft and conduct public meetings in the community.



Valdez tanker (Department of Natural Resources)

Whittier

The Whittier Coastal Management Program became effective for local, State and federal consistency reviews in April 1990. Newsletters were produced in March and May 1990 to further inform the local and visiting public about the Whittier Coastal Management Program. Since the program took effect, the city has reviewed two projects for consistency with its coastal management program.

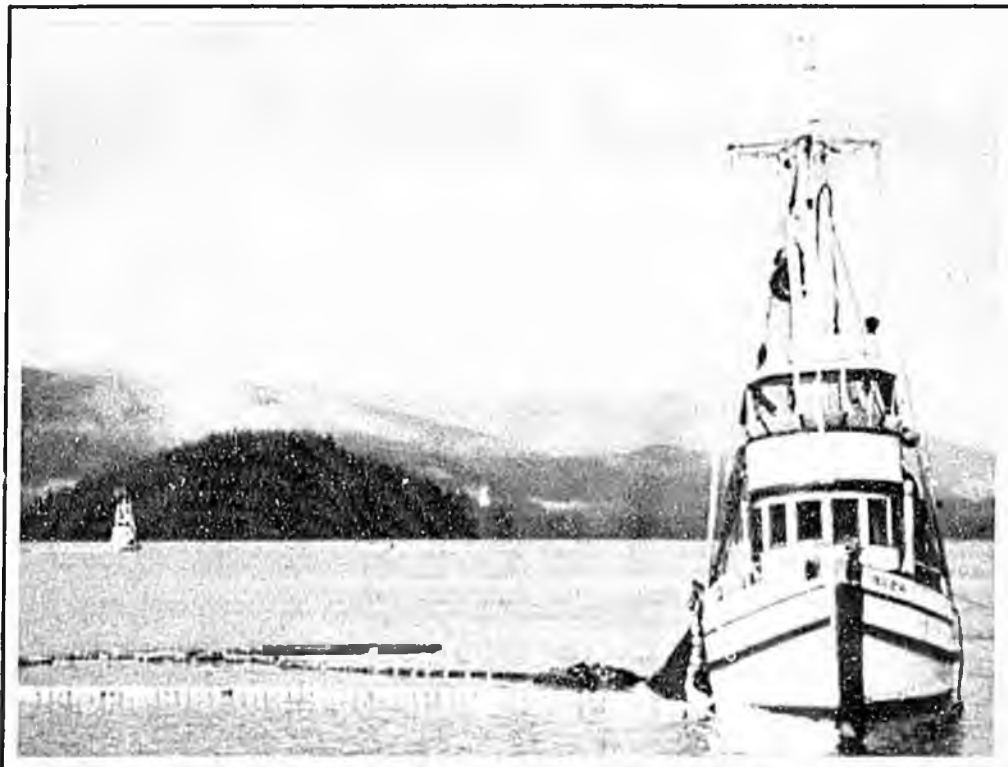
The Whittier Coastal Management Program identified the Whittier Port and Harbor as a potential Area Which Merits Special Attention (AMSA). In FY 1990, the city initiated an AMSA plan for the Whittier Small Boat Harbor. The intensity of recreational and industrial uses in the harbor, coupled with unclear land ownership authorities at selected sites, poses problems ranging from inconvenience to health and safety hazards. Continued expansion of uses in the area will create further congestion. In FY 1990, a Phase I report which includes a resource inventory and analysis and land status information was completed. In FY 1991, the city intends to complete a public hearing draft and hold public meetings in Whittier.

Yakutat

During FY 1990, the City of Yakutat worked with other communities and the Local Boundary Commission to examine the formation of a borough or a coastal resource service area in the region.

Several projects under review were of particular interest to Yakutat residents during FY 1990. The Windy-Craggy mine project (in British Columbia) is of interest because of potential impacts to Alsek River water quality and, subsequently, to the Yakutat fisheries. The Icy Cape II Timber Sale, with logging practices and habitat protection concerns, was reviewed. A third project was an aquatic farm proposal in Puget Cove, an area popular for subsistence and recreational activities.

The City also represented local interests in planning efforts for the Yakutat Forelands and the Tongass Land Management Plan. The City continued to participate in the monitoring of the Hubbard Glacier.



Seine boats fishing in Southeast Alaska (Division of Tourism)

Program Documents

The State statutes, regulations and program documents, coupled with the coastal district program documents, constitute the Alaska Coastal Management Program. State ACMP standards and district program documents form the basis for State consistency reviews. The year each district program became effective for consistency review purposes is indicated in parentheses.

ALASKA COASTAL MANAGEMENT PROGRAM DOCUMENTS:

State of Alaska Coastal Management Program and Final Environmental Impact Statement, May 1979
Coastal Zone Boundaries of Alaska, June 1988
Alaska Coastal Management Program Manual, September 1988
District Implementation Manual, September 1988
ACMP Statutes and Regulations, June 1989

APPROVED COASTAL DISTRICT PROGRAM DOCUMENTS:

Aleutians East Borough (1989)

Aleutians East Coastal Resource Service Area, Conceptually Approved Coastal Management Program, Volume I, July 1985
Resource Inventory for the Aleutians East Coastal Resource Service Area, Volume II, June 1986
An Analysis of Potential Development and Environmental Sensitivity in the Aleutians East Coastal Resource Service Area, Volume III, July 1985
Policies of the Approved Aleutians East Coastal Resource Service Area Coastal Management Program, October 30, 1985; amended May 22, 1986

Municipality of Anchorage (1981)

Anchorage Coastal Resource Atlas, December 1980
Anchorage Coastal Scenic Resources and Public Access Plan, 1981
Anchorage Wetlands Management Plan, February 1982
Anchorage Coastal Management Program (revised document), July 1987

City of Angoon (1990)

Angoon Coastal Management Program, March 1989
Coastal Policy Council Order of Approval, January 1990

Annette Island Indian Reserve (1980)

Annette Island Coastal Management Program, November 1979
Annette Island Coastal Management Program, Amendment, February 1981

Areas Which Merit Special Attention (1983)

Areas Which Merit Special Attention in Southern Southeast Alaska, July 1983

City of Bethel (1984)

City of Bethel Coastal Management Plan, June 1983
City of Bethel Drainage Management Plan, December 1985

Bering Straits Coastal Resource Service Area (1989)

- Bering Straits Resource Inventory, Volume 1, October 1984
- Bering Straits Conceptually Approved, Resource Analysis, Volume 2, October 1986
- Bering Straits Conceptually Approved Coastal Management Program, Volume 3, October 1986
- Coastal Policy Council Order of Approval, July 7, 1987

Bristol Bay Borough (1984)

- Bristol Bay Borough Coastal Management Program, June 1983
- Addendum #1, December 1983

Bristol Bay Coastal Resource Service Area (CRSA) (1987)

- Bristol Bay CRSA Coastal Management Program, Volume 1, Resource Inventory, January 1984
- Bristol Bay CRSA Coastal Management Program, Volume 2, Management Plan, June 1987
- Nushagak and Mulchatna Rivers Recreation Management Plan, August 1990

Ceñaliulriit Coastal Resource Service Area (1985)

- Ceñaliulriit Coastal Management Program, March 1985

City of Cordova and Eyak Lake AMSA (1986)

- Eyak Lake Area Which Merits Special Attention (AMSA) Plan, March 1985
- Coastal Policy Council Order of Approval for the Eyak Lake AMSA Plan, May 1986
- Cordova Coastal Management Program, November 1986

City of Craig (1985)

- Craig Coastal Management Program, July 1984
- Coastal Policy Council Order of Approval, December 1984
- Craig Boundary change (Routine Program Implementation), May 1990

City of Haines (1980)

- Haines Coastal Management Plan, October 1979
- Refinements to the Haines Coastal Management Program, November 1980
- City of Haines, Port Chilkoot/Portage Cove Area Meriting Special Attention (waterfront design study), August 1982

City of Hoonah (1984)

- Hoonah Coastal Management Program, February 1984

City of Hydaburg (1983)

- Hydaburg Coastal Management Program, January 1983
- Coastal Policy Council Order of Approval, April 1983

City and Borough of Juneau (1986)

- Downtown Waterfront Plan, Fall 1985
- Juneau Coastal Management Program, November 1986

City of Kake (1985)

- Kake Coastal Management Program, June 1984

Kenai Peninsula Borough (1990)

Kenai Peninsula Borough Coastal Management Program, June 1990

Ketchikan Gateway Borough (1984)

Ketchikan Gateway Borough Coastal Management Program, July 1983

Coastal Policy Council Order of Approval, December 1983

Ketchikan Gateway Borough Coastal Management Program, revised pages, April 1984

City of Klawock (1985)

Klawock Coastal Management Plan, June 1984

Coastal Policy Council Order of Approval, December 1984

Kodiak Island Borough (1984)

Kodiak Island Borough Coastal Management Program, Resource Maps, June 1981

Kodiak Island Borough Coastal Management Program, Progress Report Reprint (resource inventory),
June 1983

Kodiak Island Borough Coastal Management Program, June 1983 (reprinted 1988)

Matanuska-Susitna Borough (1984)

Matanuska-Susitna Borough Coastal Management Plan, September 1987

Matanuska-Susitna Borough Coastal Management Plan Appendices, September 1987

Coastal Policy Council Order of Approval, Amendment to Coastal Habitats Policy 2, March 1988

City of Nome (1984)

Nome Coastal Management Program, Background Report, Part I, July 1981

Nome Coastal Management Program, October 1983

Minor Amendments to Land Use Designations, July 1984

North Slope Borough (1988)

North Slope Borough Coastal Management Program, 1984

North Slope Borough Coastal Management Program, Background Report, 1984

North Slope Borough Coastal Management Program, Resource Atlas, July 1984

Coastal Policy Council Order of Approval, April 1985 (amended March 1988)

Northwest Arctic Borough (1989)

NANA Region Coastal Management Plan, October 1985, Volumes 1-3

Order of Approval for the NANA CRSA Coastal Management Program by the Alaska Coastal
Policy Council, May 22, 1986

NANA CRSA Coastal Management Program Policies, Revised Chapter 6.0

Northwest Arctic Borough Coastal Management Program Policies A-1 and G-6 (revised), December 1989

City of Pelican (1984)

Pelican Coastal Management Plan, March 1984

Coastal Policy Council Order of Approval, June 1984

Pelican Boundary change (Routine Program Implementation), December 1985

City and Borough of Sitka (1989)

Sitka Coastal Management Program, April 1983

Revised Sitka District Coastal Management Program, May 1989

City of Skagway (1982)

Skagway Coastal Management Program, September 1982

Skagway Coastal Management Program, Public Review Draft, December 1988

Errata Sheet, November 27, 1989

City of St. Paul (1989)

St. Paul Coastal Management Plan, June 1988

City of Valdez (1987)

Valdez Coastal Management Program, September 1986

Valdez Coastal Management Program Addendum, January 1987

City of Whittier (1990)

Whittier Coastal Management Plan, September 1989

Coastal Policy Council Order of Approval, September 1989

City of Yakutat (1981)

Yakutat Coastal Management Program, January 1981



Alaska Coastal Management Program: Development of the Coastal Zone Boundary

Glenn A. Seaman¹

Abstract

The Coastal Zone Management Act of 1972 required participating states to identify areas subject to a state management program, or delineate a coastal zone boundary. Alaska's size and diversity warranted a multiple-step approach to delineate its coastal zone boundary. The process started with the identification of zones based on biological and physical interactions between the marine and terrestrial environments, the selection of an initial or interim coastal zone boundary, and the establishment of a final boundary during the development and approval of local coastal district plans. This boundary approach may be unique to Alaska; few states have given local districts a major role in delineating a state coastal zone boundary. The final inland boundary of Alaska's coastal zone ranges from less than 2000 feet to up to 250 miles from the shoreline. Proposals to expand the inland boundaries by some local districts were controversial, which prompted an evaluation of both the intent and application of state and federal boundary requirements. This paper describes the biophysical, initial, and final coastal zone boundaries in Alaska, how these boundaries were developed, and the State of Alaska's experiences in obtaining final federal approval.

Introduction

In response to increasing pressure on coastal resources, the importance of the nation's coastal areas, and the fragmented management of these areas by state and local governments, Congress passed the Coastal Zone Management Act of 1972 (CZMA). A major objective of this act was to encourage coastal states in the development and implementation of management programs to achieve the wise use of coastal resources. In response, the Alaska State Legislature in 1977

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passed the Alaska Coastal Management Act (ACMA). The state act established a voluntary program for local coastal districts to develop coastal management programs. Coastal districts in Alaska are composed of boroughs (similar to counties in the contiguous 48 states), cities, and coastal resource service areas (CRSAs) (Figure 1).² CRSAs were created under the act to include several rural areas, not under the jurisdiction of an organized government, as a coastal district for planning and implementation. The Alaska Coastal Policy Council (ACPC), comprised of seven state members (state agency commissioners) and nine public members (local elected officials appointed by the Governor), establishes the overall program standards and guidelines and approves local district management plans. The statewide standards and guidelines and local district management plans collectively constitute the Alaska Coastal Management Program (ACMP). The statewide program was approved by the National Oceanic and Atmospheric Administration, Office of Coastal Zone Management (OCZM),³ in 1979.

The term "coastal zone" is loosely used in the literature as a general land and water area that has some biological or physical association with the coastline. It also has legal meaning: Section 305(b)(1) of the CZMA requires each state to identify the area subject to the program. The landward and seaward limits of this area are generally referred to as the state's "coastal zone boundary;" lands and waters within these boundaries are referred to as the "coastal zone." Lands owned, leased, held in trust, or whose use is otherwise subject solely to the discretion of the federal government are excluded from the coastal zone. The seaward limit (defined under Section 304(1) of the CZMA) is the limit of the United States territorial sea (generally three nautical miles from the mean low water line); however, the inland coastal zone must be defined by participating states under criteria included under Section 304(1) and 15 CFR 923.

Most states established their final coastal zone boundary at the time of state approval, which left little or no role for local coastal districts to make revisions (John King, pers. comm.). In Alaska, however, the coastal zone boundary was established in three steps: (1) boundaries based on biological and physical relationships of the marine and terrestrial environments were identified by Alaska Department of Fish and Game (ADF&G); (2) initial and interim coastal zone boundaries (and guidelines for later establishment of the final boundaries by coastal districts) were established by the ACPC; and (3) the final coastal zone boundaries were established by coastal districts for areas within their jurisdiction.

² These distinctions are not differentiated in the narrative, but are identified in Figure 1.

³ The Office of Coastal Zone Management changed to Office of Ocean and Coastal Resource Management (OCRM) in 1980.

CORRECTION

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With 30 of 32 coastal district management plans having received state and federal approval (and the remaining two districts expected to adopt the initial boundary), Alaska's final coastal zone boundary is almost complete.

This paper describes the biophysical, initial, and final inland boundaries, and how they were developed. Extensions of the coastal zone boundary for long distances inland by some districts were controversial. The state's approach to resolving boundary disputes is also described.

Biophysical Boundaries of Alaska's Coastal Zone

Alaska was charged with delineating the coastal zone for over 33,000 miles or over one third of the nation's coastline. The CZMA and implementing regulations allow states to base their coastal boundaries on biophysical considerations (OCZM 1975). The ACMP Final Environmental Impact Statement (OCZM and Office of Coastal Management 1979) summarizes how the federal boundary criteria were applied in Alaska:

"The federal boundary requirements call for definable geographic boundaries, but the main criterion for determining the boundary is non-geographic, that is, one must forecast likely uses, survey the nature of the coastal zone, and determine a boundary on the basis of a mix of the findings from these efforts. To have done this in detail for the entire 33,000 miles of Alaskan coastal waterfront would have been a massive, and very expensive, undertaking.

The method which was used for determining the ACMP boundaries was to survey the general relationships between the marine environment and the terrestrial environment. These include geophysical relationships such as water flow, salt water intrusion, tidal actions, erosion, wave fetch, salt spray, flooding, storm and tsunami surges and run-up, ice movements, glacial activity and the like. The relationships also include biological links between the marine and terrestrial environments. These include habits and habitats of anadromous fish,⁴ polar bears, sea birds, marine mammals such as walrus and seals, and other animals and plants that have a unique relationship to the land/water area.

With all these relationships established, the method simply declares that an impact on these relationships could result in an 'impact on the coastal waters,' but [the] ACMP went further, and declared that an impact on

⁴ Anadromous fish, by definition, spend part of their life cycle in fresh and estuarine or marine waters. Examples of anadromous fish in Alaska include five species of Pacific salmon, steelhead trout, char, smelt, and some whitefish.

animals using the coastal waters, including anadromous fish, is part of the definition of impact on coastal waters."

In 1975, the ADF&G initiated a study to identify the biophysical boundaries of Alaska's coastal zone. Over a two and a half year period the department conducted an extensive information search of the biological and physical relationships of the marine and terrestrial environments (ADF&G 1979). Based on this evaluation, three zones of interaction were defined and mapped (ADF&G 1978). Those zones are generally described below.

Zone of Direct Interaction - The portion of the coastal area where physical and biological processes are a function of direct contact between land and sea. This zone extends landward to the limit of: waves, tides, storm surges, tsunami energy dissipation, coastal erosion, active calving of glaciers, critical shoreline habitats (seabird rookeries, marine mammal hauling out and pupping areas), and man-made structures along the shore that are directly impacted by the dynamics of oceanic processes.

Zone of Direct Influence - The portion of the coastal zone landward of the zone of direct interaction which is closely affected and influenced by the proximity between land and sea. The zone includes, for example: areas where coastal plant communities are directly affected by the saltiness, high precipitation, or moderate temperatures of the ocean (e.g., wet tundra, marshes, Sitka spruce-hemlock forest), areas used by shorebirds nesting and feeding in coastal wetlands, reaches of streams and rivers used by beluga whales or harbor seals for feeding, and rivers and streams used for migration and spawning by anadromous fish.

Zone of Indirect Influence - This zone extends landward to the limit of influence of land/sea biological and physical processes. In some situations this zone includes entire coastal watersheds which support stream habitats for spawning, overwintering, and rearing anadromous fish, and watersheds which control the physical and chemical nature of estuaries.

These zones were presented to the ACPC for their consideration during establishment of Alaska's initial coastal zone boundary for the state.

Initial Coastal Zone Boundary and District Boundary Review Guidelines

Duties of the ACPC under Section 46.40.040 include the identification of an initial or interim coastal zone boundary for the state. Section 304(1) of the federal act requires, in part, that the coastal zone "extend inland from the shorelines only to the extent necessary to control shorelands, the use of which have a direct and significant impact on the coastal waters." Based on this requirement, the council adopted the biophysical zones of direct interaction and

direct influence to represent the state's initial inland coastal zone boundary (OCZM and OCM 1979). The council did not include the zone of indirect influence in the inland boundary, but recognized that certain types of activities in this zone could have an impact on coastal waters. The ACMP Final Environmental Impact Statement noted that "participants in the ACMP should not overlook this zone and [should] consider the rationale that led to its establishment in the review of projects and establishment of final boundaries." A summary and rationale for the initial boundary is provided in Table 1.

Each coastal district was required to develop a final coastal zone boundary for areas under its jurisdiction in accordance with criteria established by the ACPC. Sections 85.040(c) and (d) of the state boundary guideline (Alaska Division of Governmental Coordination 1989) are quoted below.

- c. "Final boundaries of the coastal area subject to the district program may diverge from the initial boundaries if the final boundaries
 - (1) extent inland and seaward to the extent necessary to manage uses and activities that have or are likely to have a direct and significant impact on marine coastal water; and
 - (2) include all transitional and intertidal areas, salt marshes, saltwater wetlands, islands, and beaches."
- d. "If the criteria in (c) are met, the final boundaries of the coastal area subject to the district program may be based on political jurisdiction, cultural features, planning areas, watersheds, topographic features, uniform setbacks, or the dependency of uses and activities on water access."

The term "marine coastal water" is defined in ACMP regulations to include "water adjacent to shorelines which contains a measurable quantity of seawater, including sounds, bays, lagoons, bayous, ponds and estuaries, and the living resources which are dependent on these bodies of water."

State boundary guidelines allowed coastal districts to either: (1) adopt the state's initial inland coastal zone boundary as the final boundary, in which case no further justification is required; or (2) modify the inland coastal zone boundary and demonstrate that the proposed boundary includes all uses that could have a "direct and significant" impact on marine coastal waters.

Final Coastal Zone Boundaries

There are 32 active coastal districts (Figure 1). All but two districts have finalized the state's coastal zone boundary. The two remaining districts, Thorne Bay and Aleutians West, are still developing their district programs but intend to adopt the initial boundaries. Portions of Prince William Sound and southeast Alaska do not fall within any established coastal district and new districts are not

Table 1: Alaska's initial inland coastal zone boundary (ADF&G 1978 and 1988).

<u>BIOPHYSICAL REGION & COASTAL DISTRICT</u>	<u>APPROXIMATE INITIAL INLAND BOUNDARY</u>	<u>RATIONALE/IMPORTANT HABITATS</u>
<u>Arctic</u> North Slope	variable, 15-30 miles inland	waterfowl/shorebird nesting and feeding, polar bear and arctic fox denning habitats
Northwest Arctic	200-foot elevation contour	waterfowl/shorebird nesting and feeding, most known anadromous fish spawning habitats
<u>Bering Sea</u> Yukon/Kuskokwim, Bering Straits, Bristol Bay CRSA, Aleutians East, other municipalities in the region	200-foot elevation contour	waterfowl/shorebird nesting and feeding, most known anadromous fish spawning habitats
<u>Aleutian Islands</u> Aleutians West, western portion of Aleutians East	all islands	strongly marine influenced, coastal fauna and flora
<u>Western Gulf of Alaska</u> Aleutians East, Bristol Bay, Kodiak Island	1000-foot elevation contour south side Alaska Peninsula, Kodiak Island, and Afognak Islands; all other islands	coastal vegetation transition, most known anadromous fish spawning habitats
<u>Northern Gulf of Alaska</u> Matanuska-Susitna	400-foot elevation contour	waterfowl, known anadromous fish spawning habitats
Anchorage, Kenai Peninsula	variable, 400- and 1000-foot elevation contour, timberline of the Sitka spruce/hemlock forest	waterfowl/shorebird/seabird nesting, known anadromous fish spawning habitats; coastal vegetation transition
coastal districts and unincorporated areas from Prince William Sound to Icy Bay	all islands (except Montague), and timberline of the coastal Sitka spruce/hemlock forest (1000- to 1500-foot elevation)	waterfowl/shorebird/seabird nesting, most known anadromous fish spawning habitats; transition of coastal vegetation
<u>Eastern Gulf of Alaska</u> all coastal districts and unincorporated areas in Southeast Alaska	timberline of the coastal Sitka spruce/hemlock forest (variable, 1500 to 3500-foot elevation contour)	seabird nesting and known anadromous fish spawning habitats; vegetation determined by proximity to the sea

expected to form in these unorganized areas in the near future. As state regulations only allow for modification of the initial coastal zone boundary through the development of district coastal management plans, the boundaries in these unorganized areas may be considered final.

Figure 2 depicts the final inland boundary. Table 2 provides a description of the inland coastal zone boundary for each coastal district and can be used to identify the more specific boundary delineations (e.g., corridors around anadromous fish streams) that cannot be illustrated at the small scale of Figure 2. A detailed description of the state's final coastal zone boundary and boundary criteria can be obtained from the state boundary atlas (ADF&G 1988).

Table 2 also indicates whether the final boundary represents an increase (adjustment further inland) or decrease (adjustment towards the coast) from the initial boundary designation. Of the 32 coastal districts, 20 adopted the initial inland boundary, nine districts increased it, two districts decreased it, and one district both increased and decreased the boundary. Of the 20 which adopted the initial boundary, 14 lie entirely within the initial coastal zone boundary (primarily cities in southeast and western Alaska); the remaining six districts (Yukon/Kuskokwim, Valdez, Whittier, Skagway, Juneau, Sitka) have political jurisdiction beyond the initial boundary but determined it was adequate and chose not to make modifications.

Justification and rationale (provided under Sections 85.040(c) and (d)) for boundary modifications within districts are also included in Table 2. The level of documentation required to justify modifications was variable. The first districts to modify the initial boundary were Anchorage, Cordova, Bristol Bay Borough, Kodiak Island, and Ketchikan. These plans included brief statements that the boundary revisions satisfied both state and federal requirements, and there was little supplemental technical justification in the written record. Public and agency attention to boundary changes increased with review of significant boundary revisions by the Matanuska-Susitna, Bristol Bay CRSA, and North Slope plans. Since 1984, any district making boundary modifications was required to provide a detailed justification including: (1) an identification of prospective uses and activities in the district; (2) an identification of marine coastal waters (including saline waters and fish and wildlife resources that depend on these waters) which could be affected; and (3) a technical discussion of how uses and activities might potentially impact marine coastal waters.

Changes to a state coastal management program, including the addition of local coastal district management plans, must be reviewed and approved by OCRM prior to becoming part of a state program. OCRM may review program changes as an "amendment" or as a matter of "routine program implementation" (15 CFR 923.80 - 84). An "amendment" is defined, in part, to include a "substantial change" to the coastal zone boundaries of a state. The amendment process

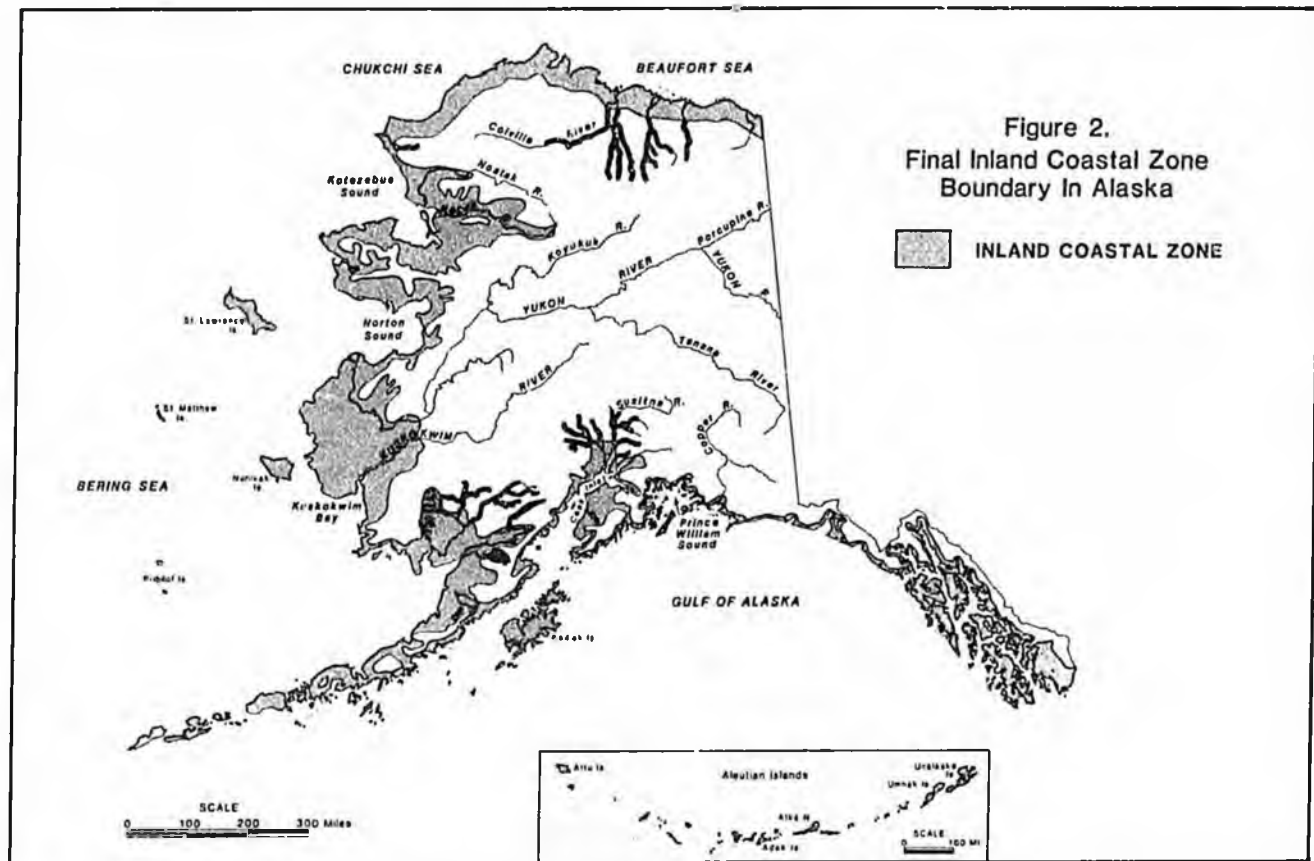


Table 2: Alaska's final inland coastal zone boundary (ADF&G 1988; coastal district programs; ADGC 1984-1990).

<u>COASTAL DISTRICT</u>	<u>OCRM REVIEW/ DATE APPROVED</u>	<u>DESCRIPTION OF THE FINAL COASTAL ZONE BOUNDARY</u>	<u>RATIONALE PURSUANT TO STATE BOUNDARY CRITERIA, SECTION 85.04(C) AND (D)</u>
Anchorage	Routine Program Implementation/1981	Decrease: 1320 feet inland from 100 year coastal flood, and areas within 100 year flood or 200 feet from center of all streams to 1000 foot elevation contour, whichever is greater	C: no specific justification included in plan per (c)(1), includes minimum areas in (c)(2) D: uniform setbacks, planning areas
Cordova	Routine Program Implementation/1981 and 1986	Decrease: zone of direct interaction, streams, and important recreation area	C: no specific justification, include (c)(2) areas D: cultural features, uniform setbacks, planning areas
Bristol Bay Borough	Routine Program Implementation/1984	Increase: entire borough, add two small areas above 200 foot elevation	C: no specific justification D: political jurisdiction, watershed
Kodiak Island, Ketchikan	Routine Program Implementation/1984	Increase: entire coastal district or planning area	C: both districts are islands, steep topography, all areas close to marine water D: watersheds, political jurisdiction
southeast districts, Nome, Bethel, Valdez, Whittier, Yukon/Kuskokwim	Routine Program Implementation/1980 to 1990	No change from initial inland boundary (see Table 1 for general boundary description)	No justification required
Matanuska-Susitna Borough	Routine Program Implementation/1984	Increase: waterfowl nesting, and areas within the greater of 100 year flood or 200 feet from ordinary high water (OHW) of several anadromous fish streams	C: potential for and need to control effects of mineral development, petroleum development, and residential development on waterfowl and anadromous fish habitat D: uniform setbacks, planning areas

Table 2 (continued): Alaska's final inland coastal zone boundary.

<u>COASTAL DISTRICT</u>	<u>OCR REVIEW/ DATE APPROVED</u>	<u>DESCRIPTION OF THE FINAL COASTAL ZONE BOUNDARY</u>	<u>RATIONALE PURSUANT TO STATE BOUNDARY CRITERIA, SECTION 85.040(C) AND (D)</u>
Bristol Bay CRSA	Amendment/ submitted 1985 and approved 1987	Increase: initial boundary plus one mile from OHW of all known anadromous fish waters and 200 feet from their tributaries	C: potential for and need to control effects of mineral, oil and gas, transportation, community expansion, and other uses and activities that could effect water quality and anadromous fish habitat D: uniform setback, watersheds
North Slope	Amendment/ submitted 1985 and approved 1988	Increase: initial boundary plus all one mile from OHW from each bank of all known anadromous fish waters	C: potential for and need to control effects of gravel mining, hardrock mining, oil and gas exploration and development, and associated activities on anadromous fish habitat D: uniform setback, watersheds
Aleutians East	Amendment/ submitted 1986 and approved 1988	Increase: entire borough, excluding glaciers and perennially snowcapped or active volcanic peaks	C: island character, potential for and need to control the effects of mining, oil and gas, transportation, and other development on anadromous fish habitat D: watershed, political jurisdiction
Northwest Arctic (NWA), Bering Straits (BS)	Amendments/ NWA submitted 1986 and approved 1989; BS submitted 1987 and approved 1989	Increase: one mile from OHW of all anadromous fish streams; watersheds or townships of most areas with moderate to high mineral potential; minimum of two miles inland in BS	C: potential for and need to control the effects of placer and pit mining, transportation, oil and gas, other uses and activities on anadromous fish habitat D: watersheds, uniform setbacks, political jurisdiction
Kenai Peninsula	Routine Program Implementation/1990	Increase and Decrease: all islands, 1000 foot elevation contour in remainder of the borough	C: increase same justification as Bristol Bay CRSA; decrease on eastern Kenai Peninsula based on unlikelihood of uses and activities that could have a impact coastal resources D: topographic features

requires OCRM to prepare a preliminary approval finding based on criteria in 15 CFR 923.82, and may require an Environmental Assessment or Environmental Impact Statement pursuant to the National Environmental Policy Act of 1969. Except for the notification requirements of the federal act (Section 306(g)(2)), the federal review process for "amendments" does not bind OCRM to specific review deadlines, thereby allowing it to set the review schedule. An action is defined as a "routine program implementation" if it represents a "further detailing of a State's program that is a result of implementing provisions approved as part of a State's approved management program," and does not otherwise meet the conditions of an "amendment." State program changes that qualify as matters of routine program implementation are approved within four weeks.

The State of Alaska submitted all 30 of its local district plans for federal approval as routine program implementation actions. A summary of OCRM review is included in Table 2. All coastal district plans submitted prior to 1985 were reviewed by OCRM and incorporated into the state program as routine program implementation actions. In general, OCRM found that these inland coastal zone boundary changes included the minimum areas identified in Section 304(1) of the CZMA and the boundaries did not represent a "substantial change" to Alaska's coastal zone boundary.

OCRM later departed from its previous practice and reviewed other plans as "amendments" to the state program: Bristol Bay CRSA, North Slope, Aleutians East, Northwest Arctic, and Bering Straits district plans. Public and agency interest in these five plans was very high due, in part, to: (1) large size; (2) high potential for oil and gas or other mineral development; (3) expansions to the initial inland boundary and uses subject to the state program, including the potential to set precedent; and (4) concern by development interests that these districts, which culturally and economically rely heavily on fish and wildlife resources (e.g., subsistence/personal use and commercial fishing), would unreasonably restrict mineral, oil and gas, and other coastal development. OCRM either delayed review or denied approval of these plans based, in part, on its finding that the coastal zone boundary was a "substantial change" or not sufficiently justified (OCRM 1986, 1987(a), 1987(b), 1988, and 1989). It eventually proceeded with the amendment review process and prepared an Environmental Assessment for each plan. Over the course of three years the State of Alaska submitted several district plans for federal approval. The fact that OCRM would not review these plans simultaneously was a primary factor in delays of up to three years in plan approval.

The high public interest in these plans prompted a debate on the extent to which districts could and should extend their inland boundaries. The Alaska Division of Governmental Coordination, Office of the Governor, coordinated a detailed technical review of each proposed change to the initial coastal zone boundary under the state boundary guidelines prior to ACPC review. Significant

refinements to several districts' proposed modification of the inland coastal zone boundary were made by the Council in response to this review.

Five key issues emerged concerning the intent and application of the state and federal boundary guidelines during review of the more significant boundary changes by districts. A summary of these issues and their conclusions is provided below. Sources include OCRM preliminary and final findings of approvability and the Environmental Assessments for each of the five district programs reviewed as amendments (OCRM 1986, 1987a, 1987b, 1988, 1989).

ACMP Boundary Criteria Compliance with the CZMA - Some comments asserted that the definition of "marine coastal waters" under state boundary guidelines could not be used to justify extensions to the initial inland coastal zone boundary. This argument was based on the belief that 1) the initial biophysical boundaries included all biological links between the marine and terrestrial environment, and 2) that the definition of "coastal zone" and "coastal waters" in the federal act and implementing regulations limited consideration of impacts to those which impact saline waters. OCRM disagreed with this argument on the basis that the ACMP Final Environmental Impact Statement specifically provided for a detailed review of biophysical relationships during district plan development and that the commentators' interpretation of federal boundary requirements was too narrow. OCRM also noted that the federal act and regulations allow considerable flexibility in identifying an inland coastal zone boundary subject to specific biophysical considerations. This position reaffirmed that it is permissible under the CZMA to define a coastal zone boundary on the need to protect living resources that depend on coastal waters.

Living Resources Dependent on Saline Waters - A number of comments questioned which animals constitute a living resource which depends on saline waters. The Matanuska-Susitna district considered both anadromous fish and several species of waterfowl as resources dependent on saline waters. The "dependence" of waterfowl and other fish and wildlife was questioned in subsequent district boundary modifications. However, all districts subsequently modifying the initial inland boundary chose not to address this issue, but to justify boundary increases on the need to protect anadromous fish. No further definition of the other fish and wildlife that may fall under the definition of marine coastal water was developed by the state or OCRM.

Likelihood of Uses and Activities - Some comments asserted that districts must show the imminence of development activities which could impact marine coastal water before the boundary could be expanded to include additional areas. OCRM found this position to be an overly narrow interpretation of the boundary guidelines. Several districts had included

watersheds in the coastal zone with moderate to high petroleum or mineral potential where there were no firm plans for development for the next 15 or more years. As a result, OCRM concluded that district plans were long term plans and it was appropriate to include areas where uses and activities might reasonably occur some time in the future.

Significance of Other Regulatory Authorities - Development interests commented that a "need" for management be established before a boundary could be expanded to include additional areas. These groups felt that a boundary should be expanded only where existing state and federal authorities did not already adequately reduce potential impacts to the resources. The state and OCRM objected to this argument. OCRM stated that even if other state and federal statutes address the protection of resources inland of the initial coastal zone boundary, sole existence of these statutes is not acceptable rationale for limiting the applicability of a district or state coastal management plan, which provides for a comprehensive review of policies that could affect coastal waters and resources. OCRM indicated further that the effectiveness of other regulatory authorities cannot be used to justify a boundary expansion.

Importance of Anadromous Fish - Reviewers indicated that the productivity of anadromous fish streams and the importance of fisheries to the local, state, and national economy should also be a consideration in the expansion of the inland boundary. However, state and federal boundary guidelines do not specifically require consideration of habitat productivity or economic factors in boundary determinations. In addition, the enforceable policies of the state coastal management program (as well as other Alaska Statutes) provide equal protection for all anadromous fish habitat. Local districts and the state council focussed their review on compliance with OCRM-approved state boundary criteria in Section 85.040(c)(1), and maintained that OCRM should do the same. During the federal review process OCRM requested information from the state and local districts on the overall fish production and importance of the fisheries to local and state economies. Information provided by the districts and state showed that anadromous fish were very important to the local commercial and subsistence economies, a fact which influenced OCRM's evaluation of the boundary expansions.

Ultimately OCRM deferred to the state's technical evaluation of all modifications to the initial inland coastal zone boundary. In each of the five district programs reviewed by OCRM as amendments to the state program, it concluded that 1) the inland boundary extensions were consistent with the original objectives of the state program, and 2) the impacts of expanding the initial inland coastal zone boundary were not substantial and did not differ either in content or intensity from those described and analyzed in the original Environmental Impact Statement prepared when the ACMP was approved.

Summary

The State of Alaska applied a multiple-step approach to delineate its coastal zone boundary under the federal CZMA. The process started with defining the coastal zones based on biological and physical relationships of the marine and terrestrial environments. The state then selected an initial or interim coastal zone boundary based on this biophysical information and identified criteria for later district review. Local coastal districts finalized the boundary during district plan development. The federal act dictates that the coastal zone boundary only extend inland as needed to control shorelands, the use of which would have a direct and significant impact on coastal waters. An "impact on coastal waters" was defined in the state's program to include impact on living resources, such as anadromous fish. All but two of the 32 coastal districts in Alaska have state and federally approved management plans and have finalized the coastal zone boundaries in their districts. Twenty of the local districts have adopted the initial inland boundary, two decreased it, nine increased it, and one district both increased and decreased the boundary in different parts of the district. Increases were justified on the need to manage existing or potential future uses and activities that could affect saline coastal waters and the living resources that depend on these waters.

Five large coastal districts in northern and western Alaska proposed significant inland expansions to the initial coastal zone boundary, generating a great deal of public and agency interest. There was extensive debate during district plan review and approval of these plans over how far inland a district can and should extend the boundary under state and federal guidelines. The State of Alaska conducted a thorough technical review of these boundary modifications. The federal OCRM ultimately deferred to the State of Alaska's technical evaluation and justification of the proposed boundaries, and approved all proposed inland boundary modifications.

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COASTAL

CURRENTS

FEBRUARY, 1998 NEWS AND VIEWS ON ALASKA'S COASTAL MANAGEMENT PROGRAM

the year in review

DGC'S 1997 ACTIVITIES

In 1997 the Division of Governmental Coordination was involved in a diverse mix of project review and analysis, coastal management program development, education and outreach, legislative action, and innovative implementation techniques. In the next few pages we will share some of the highlights of 1997 with you. Many highlights represent cooperative efforts among DGC and other state and federal agencies, and among DGC and coastal district coordinators— the starting lineup for coastal management in Alaska's coastal communities.

*DGC staff
members,
Glenn Gray,
Karen Essary,
and Beth Eavey.*



CONTINUED ON PAGE 5



on the bill

HB 28 IS ON THE MOVE

By Julie Hammonds Penn, District Program Coordinator, DGC

House Bill 28, "An Act Repealing the Alaska Coastal Management Program," is now the Committee Substitute for House Bill 28, "An Act Modifying the Alaska Coastal Management Program."

Proposed modifications to the ACMP include:

- deleting petitions of consistency determinations and coastal management plans to the Coastal Policy Council;
- requiring districts to reduce their coastal zones to exclude the zone of indirect influence;
- prohibiting districts from incorporating state law by reference into district plans; and
- providing that a district or state agency can only stipulate to a matter that is within its authority (not including Title 46 authority, which would be nullified by this provision).

House Bill 28 received a partial hearing in the House Resources Committee on February 19th; due to lack of time, the hearing was continued to February 26th, when testimony will be accepted. The results of the hearing were not available at the time this newsletter went to press. Contact Gabrielle LaRoche or your coastal district coordinator to find out the results.

Gabrielle LaRoche	465-3541
Randy Bates	465-8797
Julie Hammonds Penn	465-8789
Sara Hunt	465-8788

enhancement grants

AWARDED IN JANUARY, 1998

By Sara Hunt, District Program Coordinator, DGC

The Coastal Policy Council subcommittee met January 26, 1998 to interview selected applicants for ACMP Enhancement Grant awards. Based on the merits of the proposal, and the strength of the interviews, the following projects were selected to be submitted for funding in FY99, which begins July 1, 1998.

Model Local Implementation Package (AWCRSA and DCRA) \$35,000. This project will clarify the responsibilities of a CRSA and city with Title 29 powers for reviewing and approving projects under the ACMP.

Kenai River System Access Inventory and Management Plan (Kenai Peninsula Borough) \$61,000. The objective of this project is to develop a comprehensive inventory of all developed and undeveloped public easements and rights of way providing access to Kenai and Skilak Lakes and the mainstem of the Kenai River. The KPB will also formulate a management plan that will provide recommendations for the development or closure of public access routes along the river system.

Best Management Practices to Address Cumulative Effects of Water Pollution in Harbors (DEC) \$31,500. The purpose of the project proposal is to develop and implement pilot Best Management Practices programs in the Southeast Region harbors. BMPs will be selected and implemented through the collaborative efforts of harbormasters, coastal districts and local municipalities. The Council has awarded this project to begin work in Southeast Alaska as a model, and is providing funds for DEC and four Southeast communities.

Cottonwood Creek Watershed Assessment (ADFG) \$55,500. This project will analyze and attempt to quantify the effects of riparian development on fish habitat and water quality and to determine what effective mitigation tools may be available to help maintain or enhance fish habitat.

Computer Mapping for Northwest Arctic Borough (NAB) \$22,000. The Council proposes to fund this project to develop village specific enforceable policies for the NAB coastal management plan for those communities mapped in FY98. The Council would like to review the complete product of maps and enforceable policies before proceeding with additional communities.

Bering Sea Ocean Management Plan (DGC and St. Paul) \$125,000. The purpose of the Bering Sea project is to identify stakeholders that would benefit from an ecosystem approach for the Bering Sea, improve communication and coordination among stakeholders, and work together to develop MOUs, model enforceable policies, and an ocean management plan for the Bering Sea.

District Planning and Implementation Guidebook Series (DGC and DCRA) \$90,000. This project will complete Guidebooks 3 and 4 to assist districts, agencies and the public in carrying out Assessment recommendations approved by the Coastal Policy Council. The series will provide helpful tips on how to write a coastal management plan that can be implemented and enforced, and will help district coordinators effectively participate in consistency reviews.



What about Ocean Management in Alaska?

A SUMMARY OF THE BERING SEA ECOSYSTEM WORKSHOP

By Glenn Gray, Project Analyst, DGC

Coastal district personnel from the Bering Sea and the North Slope Borough met on January 29 to discuss issues related to the Bering Sea and to hear from a number of speakers. Char Kirkwood, Coastal Coordinator for the St. Paul Coastal District, facilitated the all-day meeting.

At the beginning of the

workshop, participants learned about ocean management efforts initiated by other coastal states. Oregon, California and Hawaii have developed ocean management plans that encourage cooperation among state, local and federal governments. Although Maine, North Carolina and Florida have not completed formal plans, these states have initiated efforts to coordinate management of ocean

uses and resources. All six ocean management efforts began at the state level and addressed waters out to the 200-mile limit. Most of the efforts have been led by state coastal management agencies, and all of these states have developed recommendations for better coordination and management of ocean uses and resources. An ocean management approach might work for the Bering Sea as long as all parties were involved in its development.

Representing the Bering Sea Coalition, Larry Merculieff provided a history of the effort to view the

Bering Sea on an ecosystem level. He has been working for a number of years to coordinate efforts of scientists and local residents. Larry noted that populations of 16 species of fish and wildlife are declining in the Bering Sea. He also spoke about the importance of recognizing traditional ecological knowledge and wisdom. The Bering Sea Coalition is working with the Nature Conservancy to develop a network among the people of the Bering Sea. A \$10,000 grant from the EPA will provide seed money to plan for a "Healing Conference" this fall and a "Summit Meeting of Bering Sea Coastal Communities" at the end of the year.

Patricia Cochrane, executive director of the Alaska Native Science Commission, updated the group on her efforts to promote collection of local and traditional knowledge in Alaska. She emphasized the need for communities to work with researchers to identify what information is needed. The Commission held a number of workshops in rural communities to discuss the collection and use of traditional knowledge, who it belongs to, and guidelines for research. The Commission is also involved with developing data bases on subsistence food and contaminants and

"gray" and "black" literature about traditional knowledge.

Pat Galvin, an Anchorage attorney, spoke about several projects he is working on about incorporation of local knowledge into coastal project consistency reviews. He is working with the Bering Straits and Northwest Arctic Borough coastal districts to see how review participants can work together to gather and use local knowledge. A workshop in Kotzebue during May will focus on this issue.

Dr. Suzanne Marcy, a senior scientist in ecology at the EPA, spoke about a proposal to develop a shared vision for the Bering Sea. Her proposal includes an investigation into the stressors affecting the Bering Sea ecosystem and the development of a risk assessment. Through a series of conferences, a shared vision would be developed about specific uses and resources of the Bering Sea.

During the afternoon session, participants discussed ecosystem management issues they thought were most important. The group supported continuation of the Bering Sea Ecosystem Project and facilitation of communication among the coastal districts.

Most ocean management efforts have been led by state coastal management agencies.

GI what?

GEOGRAPHIC INFORMATION SYSTEMS (GIS)

George Plumley and Jim Glaspell demonstrated how GIS can be used for coastal management at the January Regional Coastal District Conference.

By Sydney Mitchell, Publication Specialist, DGC

The room was lit only by a vividly colored projection from George Plumley's computer. Despite the nighttime conditions, there wasn't a drooping head to be seen.

It's one thing to hear all this hype about how great a GIS (Geographic Information System) is... it is another to see a master quickly and easily manipulate layers of data and within minutes output a full color map. This mastery has a price though. George spends anywhere from 8 to 16 hours a day pulling map images out of disparate databases which he splices together for use in different projects.

When consultant Jim Glaspell approached George about using a GIS to develop a coastal management plan for Cordova, George (and the agency he works for, DCRA), agreed to participate, with the understanding that the process that evolved could be used by other coastal districts.

Whenever a coastal district creates or updates its local coastal management plan, it must complete a resource inventory. The traditional paper atlases are expensive to produce and are outdated quickly. Enter the beauty of a geographic information system which serves as a constantly evolving data system from which accurate maps can be output at any time.

However, a GIS is not without limitations. The software is not easily used by an untrained person, it is expensive, and actually manipulating a GIS can easily suck down a whole computer. The GIS solution that George and Jim are working toward must be simple, require no special training, be usable on any computer and allow a user to print a map out with an inexpensive inkjet printer.

They are using a three-step approach to the Cordova pilot project:

1. Gather paper maps and digitized information for the region.
2. Digitize the paper maps and make all the data display on the same base map.
3. Put all of this information into a simple package that can overcome the aforementioned GIS limitations.

Find out more about Cordova's process at the 1998 ACMP conference.



George Plumley with his computer in the Anchorage DCRA office.

AN INTERVIEW WITH

George Plumley

A cartographer with the Department of Community & Regional Affairs, Municipal & Regional Assistance Division

"I spend a full day here and then I go home and spend 5 or 6 more hours. I enjoy what I'm doing— it's hands-on."

By Sydney Mitchell

It's got 200 mhz and 128 mb RAM under the hood and when George Plumley powers it up, it has the brute power to process map files at blistering speeds. 'It' is a Gateway 2000 with a Pentium Pro 200 processor and a 10-gig internal hard drive. It is the centerpiece of George's map encrusted office space, and it is the computing power George recommends for those serious about GIS.

George is a cartographer for DCRA; in fact he is the only cartographer at DCRA. But no one thinks "cartographer" when they think of George. When they think of George they think "GIS Guru."

George has an undergraduate degree in

Geography and a minor in Computer Information Systems. He is currently completing his master's degree in Geographic Information Systems at the University of Fairbanks. It's a perfect combination of skills for GIS work.

George's master thesis revolves in part around making coastal district maps available from a web site. Ultimately, his work will be linked into DCRA's web site

If you want to learn more about GIS but are not sure where to start, George recommends browsing ESRI's online bookstore (www.esri.com). He also recommends his UAF professor's book: "Processing Digital Images in GIS" by David L. Verbyla.

DGC's Year in Review continued from page 1

JANUARY

PROJECT REVIEW STATISTICS

17
projects reviewed

7
found consistent

10
found consistent w/stipulations

The Coastal Policy Council approves the Assessment Work Program. This document outlines how the ACMP Assessment recommendations are to be implemented.

The Coastal Policy Council gives unanimous approval for the

revised Hoonah Coastal Management Plan.

DGC reviews grant proposals that provide \$420,000 for FY98 projects.

Projects are funded in 5 priority areas: coastal hazards, cumulative and secondary impacts, ocean resources, coastal wetlands, and public access.

DGC joins forces with the Alaska Land Managers Forum. DGC works with other federal, state, and private land managers on permit streamlining and tourism planning.

FEBRUARY

PROJECT REVIEW STATISTICS

24
projects reviewed

2
found consistent

22
found consistent w/stipulations

The House Resources Committee holds two hearings on House Bill 28, an act repealing the Alaska Coastal Management Program.

DGC issues the final consistency finding for the COE Nationwide Permits (NWP). The

state finds all 39 proposed new and reissued NWPs consistent to the maximum extent practicable with the ACMP. The NWPs will be in effect for 5 years.

DGC starts the state's formal review of the Kensington mining project.

MARCH

PROJECT REVIEW STATISTICS

28
projects reviewed

13
found consistent

15
found consistent w/stipulations



DGC develops a new logo.

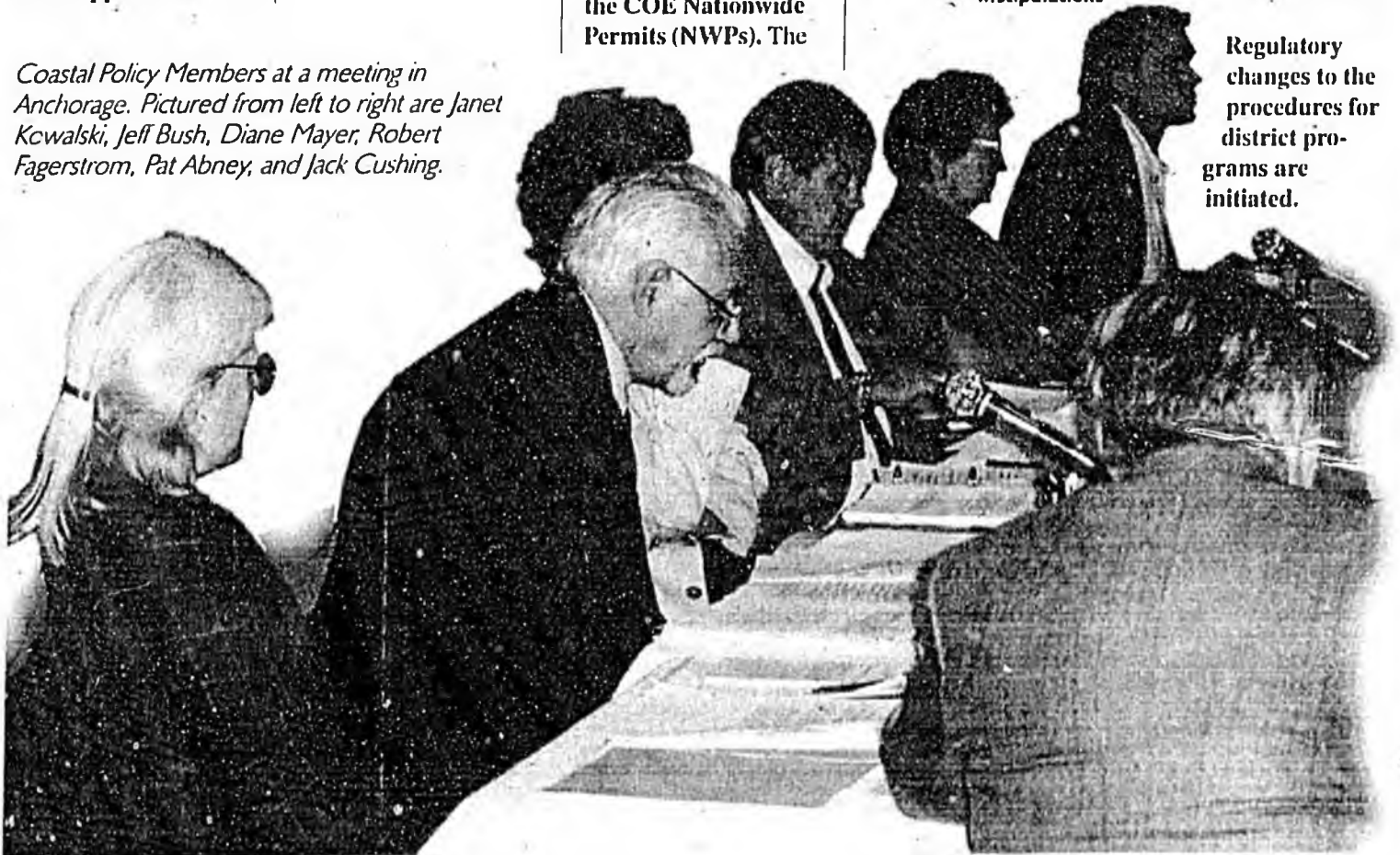
DGC attends the annual conference of the Alaska Wilderness Recreation and Tourism Association. DGC staff appear on a panel to discuss state planning and permit streamlining efforts.

DGC facilitates a pre-application meeting for ARCO on its Warthog Prospect.

The revised Hoonah Coastal Management Program receives federal approval and is filed with the Lt. Governor's office.

Regulatory changes to the procedures for district programs are initiated.

Coastal Policy Members at a meeting in Anchorage. Pictured from left to right are Janet Kcwalski, Jeff Bush, Diane Mayer, Robert Fagerstrom, Pat Abney, and Jack Cushing.



DGC's Year in Review

APRIL

PROJECT REVIEW STATISTICS

26
projects reviewed

12
found consistent

14
found consistent w/stipulations



Gabrielle LaRoche, Coastal Program Coordinator for the State, spends much of her time working on program development and funding.

The Coastal Policy Council meets in Juneau.

A work draft for a committee substitute for IIB 28 is introduced. The language repealing the ACMP is removed, but coastal zone boundaries would be reduced and the ability of agencies to implement coastal management through existing permits would be limited. The petition process would be eliminated. The Governor's Office introduces

Senate Bill 186, a permit streamlining bill. The bill would make sweeping changes to consolidate and streamline agency permitting processes statewide.

DGC represents the state at a signing ceremony for the Record of Decision (ROD) establishing revised Permanent Military Operations Areas (MOAs) in Alaska. These MOAs will reduce impacts to wildlife, subsistence, and recreation

from air training exercises held throughout Alaska.

The Office of Ocean and Coastal Resource Management (OCRM) approves Alaska's Enhancement Grants Program Strategy. The Program Strategy identifies five priority categories for awarding funding and outlines a three-year strategy for tasks to improve the ACMP. DGC will receive about \$400,000 of non-match federal funds each fiscal year to implement this strategy.



DGC's bi-monthly newsletter, Coastal Currents, is redesigned to better serve coastal management

professionals in Alaska.

DGC hosts the annual statewide Alaska Coastal Management Conference in Juneau.

MAY

PROJECT REVIEW STATISTICS

31
projects reviewed

17
found consistent

14
found consistent w/stipulations

The CPC approves the Title 29/46 Committee recommendations regarding city and village approval of a Coastal Resource Service Area's coastal management program.

The state signs Partnership Agreement with the U.S. Army Corps of Engineers to improve cooperation, coordination, and communication among the COE and state resource management agencies. State signators include the

director of DGC, and the commissioners of three state resource agencies. DGC sends the agreement to OCRM for approval to incorporate into the ACMP.

DGC begins the consistency review for the Alpine Development Project and the consistency review of the drilling phase activities for the Badami Development Project.

The CPC approves the Sitka Public Use Management Plan as an amendment to the Sitka Coastal Management Plan. The Sitka PUMP is forwarded to OCRM for federal approval.

DGC prepares Preliminary Findings and Conclusions for the local Concept Approved Draft of the Northwest Arctic Borough Re-

vised Coastal Management Plan



Diane Mayer, Rex Blazer, Lorraine Marshall, and Kerry Howard of DGC.

DGC's Year in Review

JUNE

PROJECT REVIEW
STATISTICS**35**
projects
reviewed**11**
found
consistent**24**
found
consistent
w/stipulations

The Partnership Agreement with the COE receives federal approval from OCRM.

A major amendment to the Tulsequah Chief Mining Project receives approval from the Executive Director of the B.C. Environmental Assessment Office. A proposed amendment to drop the Taku River barge shipping option is approved.

DGC issues a final consistency determination for Seley Log and Lumber's sawmill at Lewis Reef.

DGC meets with the Aleutians West CRSA Board to provide training and to discuss the Unalaska Bay AMSA Plan.

DGC convenes 4 ACMP Working Group meetings to develop regulatory changes to district program amendment procedures.

JULY

PROJECT REVIEW
STATISTICS**29**
projects
reviewed**9**
found
consistent**20**
found
consistent
w/stipulations

DGC signs a grant agreement with NOAA, OCRM, to receive \$2,530,000 in federal funds to administer the Alaska Coastal Management Program.

DGC begins the consistency review of the Warthog Exploration Project, a well proposed to be drilled from federal waters to a downhole location below state waters.

The DNR Division of Oil and Gas requests

facilitation from DGC for an elevation from the North Slope Borough (NSB) on the proposed Beaufort Sea Lease Sale 86. The most significant request from NSB is for a buffer around Cross Island so development will not preclude reasonable access to whales. The director-level elevation results in changes to two stipulations and an advisory.

The Association of Village Council Presidents petition the CPC over a proposed finding of consistency for use of a river hovercraft by the USPS on the Kuskokwim River. The CPC dismisses the petition.

DGC attends a meeting with the USFWS to discuss the process to revise the Comprehensive Conservation Plans for all national wildlife refuges in Alaska. DGC summarizes the state's concerns and how to best address them.

AUGUST

PROJECT REVIEW
STATISTICS**17**
projects
reviewed**7**
found
consistent**10**
found
consistent
w/stipulations

DGC and the Alaska Region OCS Advisory Committee meet to recommend issues for Minerals Management Service to consider during preparation of the final EIS for OCS Lease Sale 170.

DGC starts the consistency review for the Tarn Development Project. Development of the estimated 30-40 million barrels of oil is expected to contribute about 10,000 - 20,000 barrels of oil per day to production in the Kuparuk River Unit.



DGC distributes a new resource for coastal management professionals: a three-volume reference set of enforceable policies from each district in the ACMP. Federal and state agencies use these volumes to develop project stipulations that are consistent with district enforceable policies. Coastal districts use the volumes as quick and easy way to reference other district's policies.



One of the biggest challenges facing networked state coastal management programs is the need for strong working relationships among all of the stakeholders.

DGC's Year in Review



Lisa Ibias shows off her favorite piece of coastal trash, a beaded belt, at the first annual cleanup held in Juneau.

PROJECT REVIEW STATISTICS

15
projects reviewed

4
found consistent

11
found consistent w/stipulations

SEPTEMBER

DGC hosts a one-day permit streamlining workshop held in Anchorage, by the Knowles Administration. The workshop reviews the Knowles' Administration proposed approach to improve permitting; provides stakeholders an opportunity for input; and provides feedback on permit process problems and possible remedies.

DGC participates in a teleconference held with western states, the Western Governor's Association, and the State Department to discuss their efforts to develop tri-national environmental impact assessment guidelines by April 1998. The guidelines, once finalized, will apply only to major actions requiring a federal decision, so as not to

impose unfunded mandates on states.

The CPC approves the Northwest Arctic Borough Revised Coastal Management Plan. They also approve the district coastal management program regulations. The regulations are pending with the Department of Law.

DGC participates in the Southeast Coastal District Conference.

DGC coordinates the first annual Coastal Cleanup in Juneau. DGC plans to develop a coastal cleanup kit for use by coastal districts who want to educate their communities about coastal management.

DGC nominates the Kenai Peninsula Borough for the Walter B. Jones Memorial and NOAA Excellence Award for Coastal and Ocean Resource Management in the category of Excellence in Local Government



DGC releases a new ACMP booklet designed to provide an informative overview of the ACMP.

PROJECT REVIEW STATISTICS

18
projects reviewed

6
found consistent

12
found consistent w/stipulations

OCTOBER

DGC participates in a meeting sponsored by the B.C. Assessment Office to discuss water quality and acid rock drainages for the proposed Tulsequah Chief mine in B.C.

DGC meets with state agencies and the USFS to resolve issues surrounding timber sales. Implementation of TLMP brings up expected interpretation questions.

DGC submits comments on the Public Hearing Draft for the City of Saint Paul's Coastal Management Plan enforceable policies.

DGC submits the CPC-approved district program regulations to the Department of Law for final review and approval.

Diane Mayer leads a discussion of permit streamlining options in a "breakout session" during the

DGC's Year in Review

annual Alaska Visitors Assoc. convention.

DGC works with resource managers from other state and federal agencies and Native corporations to develop a handbook titled: "Commercial Visitor Services in Alaska." The guide is published by the Alaska Land Managers Forum. It tells commercial recreation and tourism operators how to obtain permits for enterprises on federal, state, and private Native Corporation lands.

DGC attends the annual Alaska State Home Builders Association Conference to provide an overview of program services.

The Kenai Peninsula Borough receives the Walter B. Jones and NOAA award for Excellence in Local Government for the borough's innovative approach to managing uses on the Kenai River. The Kenai River Center inspires positive change by implementing principles of the federal Coastal Zone Management Act.

DGC Project Analysts provide project coordination and assistance to Alaska's larger industries like oil and gas.

NOVEMBER

PROJECT REVIEW STATISTICS

15
projects reviewed

6
found consistent

9
found consistent w/stipulations

DGC extends the comment deadline for the Cook Inlet Seismic Survey proposed by Western Geophysical due to a high level of interest by Cook Inlet fishing groups. DGC sponsors a meeting in Kenai in December with representatives from agencies, industry and fishing groups.

DGC provides pre-application assistance to Forcenergy for their Redoubt Shoals drilling platform proposal.

DGC writes a final draft for a general concurrence for general permits for mining exploration camps. The general concurrence will consolidate the DFG, DEC, and DNR approvals necessary for exploration camps and provide a streamlined process for applicants.

DGC facilitates the state-sponsored stakeholders meeting of the Glacier Bay Working Group. The Working Group, including fishing, conservation, and Native interests, is attempting to draft a long-term solution concerning commercial fishing.

OCRM approves the Northwest Arctic Borough's Revised Coastal Management Plan.

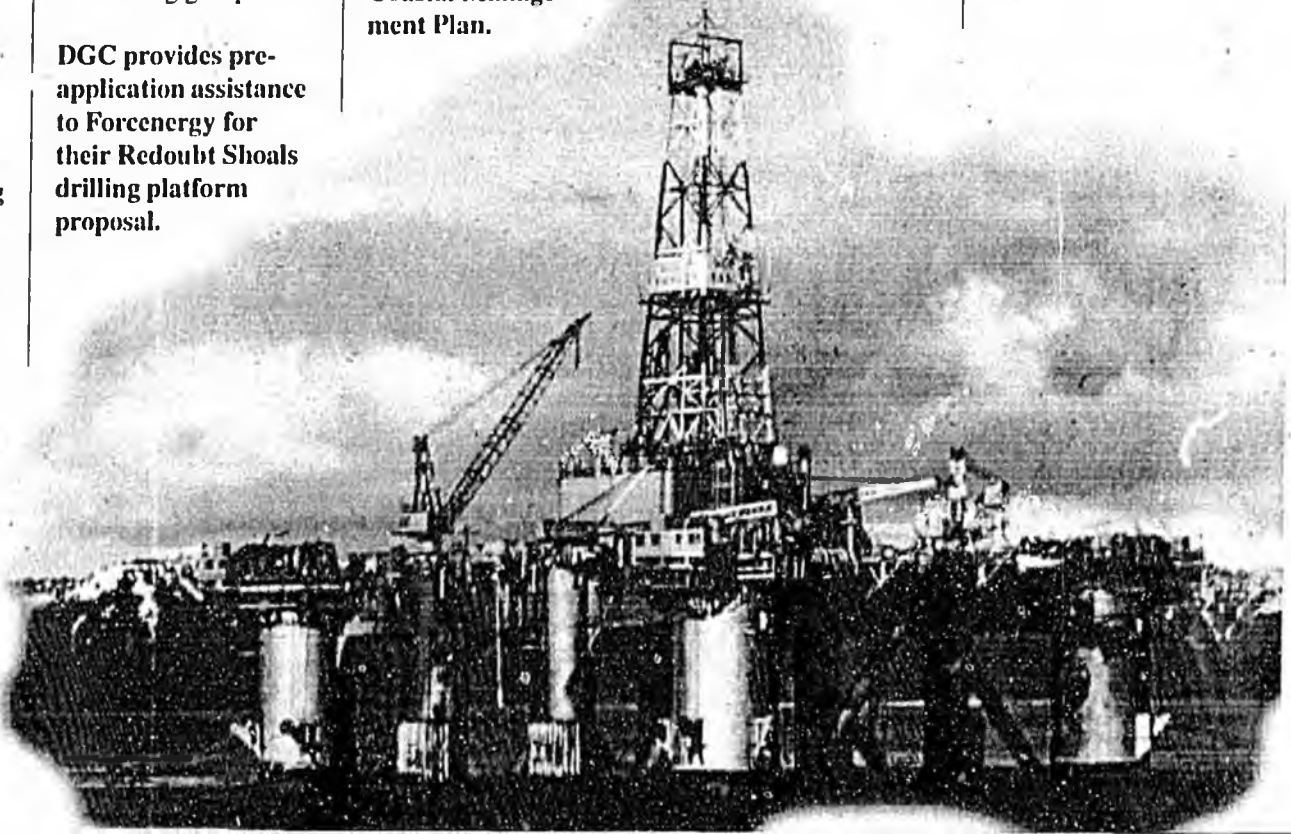
DGC continues to develop a database for the ACMP. Compilation of data is 60% complete.

DGC exhibits at the Alaska Municipal League's

annual conference, and the Resource Development Council's 18th Annual Conference to provide information on program services.



Project Review Coordinators, like Maureen M'Creagh in DGC's Anchorage office, often work against the clock to ensure projects are reviewed on time.



DGC's Year in Review

DECEMBER

PROJECT REVIEW STATISTICS

18
projects reviewed

5
found consistent

13
found consistent w/stipulations

DGC issues the final consistency determination for Phase I of the Alpine Development Project:

DGC starts the review for a proposal by Alaska Clean Seas, the North Slope spill response group, to hold a test burn of oil on ice. DEC recommends that this project be found inconsistent because they think the results of the test would

not justify air and water pollution that would result from an on-ice test.

DGC initiates the director-level elevation for Lease Sale 87. The directors are discussing three issues: protection of Dolly Varden habitat, the use of explosives, and protection of subsistence resources.

DGC sponsors a meeting between fishing groups and the oil and gas industry. The meeting provides a forum for representatives of the various groups to begin a dialogue on the timing and location of seismic survey activities. Although this meeting does not solve all of the issues, meeting participants appreciate the opportunity to discuss this important issue. The information exchanged at the meeting will be helpful during the conclusion of the review of Western Geophysical's proposed 1998 survey.

DGC participates in the Copper River/Wrangell's Tourism Planning Coordination Group of the Alaska Land Managers Forum. DGC edits and distributes a working draft of a 60-page summary of existing and proposed private and public plans, construction projects, and cooperative efforts related to

tourism development in the Copper River/Wrangell Mountains region. The inventory should prove invaluable to the many organizations, agencies, and business interests that have a stake in recreation and tourism development in this area.

DGC gives a presentation to the Western Governor's Association (WGA) at a tri-national meeting on draft Transboundary Environmental Impact Assessment (TEIA) Guidelines being prepared as part of a side agreement to NAFTA. DGC and the B.C. Environmental Assessment Office present information on the B.C. Environmental Assessment Act and how its review process compares to draft TEIA guidelines.

The Department of Interior (DOI) requests that DGC meet with DOI agencies in Anchorage to discuss federal consistency requirements. Along with general information on the Alaska Coastal Management Program, DGC also discusses questions on specific projects currently in review. DOI has requested semi-annual meetings with DGC staff to facilitate communication and foster interagency interactions.



Sara Hunt, a District Program Coordinator in DGC's Juneau office, spends much of her time assisting coastal districts with their coastal management planning efforts.



surfin' in the
coastal
CAREER ZONE



DGC welcomes Brett Meyer as the new city & borough planner for Yakutat. Brett has a degree in Criminal Justice and is actively involved with the Alaska Air National Guard.

John King of OCRM has been promoted to Great Lakes Regional supervisor. John has been the federal contact for the ACMCP for eight years and will be sorely missed. A replacement has not been hired so John will continue to work with Alaska through the spring.

DGC's publication specialist, Sydney Mitchell, joins DGC on a permanent basis this month. Sydney has a degree in Natural-Resources Planning with an emphasis in graphic design. She brings ten years of professional design experience to DGC.

Career Zone from page 10

Chas Dense returns to DGC to finish the 309 Guidebook project previously assigned to Michael Johnson. Chas' excellent writing skills and knowledge of the ACMP make him an excellent addition to the Guidebook development team.

Diane Sheridan has been hired as the new Project Review Assistant in DGC's Anchorage office. Diane's strong organizational and problem solving skills make her well qualified for the PRA position. She will be replacing Jana Durr.

DGC extends congratulations to Jon Dunham, Coastal Coordinator for the North Slope Borough. John has been promoted to the position of "Deputy Director of Land Management" at the borough. Fortunately for the ACMP, he retains his coastal management duties in his new position.



DGC would like to welcome John Easton as the new Program Coordinator for the Bristol Bay CRSA. John has a degree in Resource Economics and his hobbies include snow boarding, fly fishing and water skiing.

Congratulations to Northwest Arctic Borough

The Northwest Arctic Borough plan takes effect...

By Julie Hammonds Penn, DGC

After several years of dedicated work on the part of the Northwest Arctic Borough and state agency staff, the Borough's revised Coastal Management Program is now complete. With the Lieutenant Governor's signature certifying the plan as part of the Alaska Coastal Management Program, the plan became effective as of January 7, 1998.

Now that the revised plan has taken effect:

- Uses and activities conducted by state agencies in the coastal area must be consistent with the revised district program;
- In authorizing uses and activities, state agencies must find that the use or activity is consistent with the revised district program; and
- Federally conducted or supported activities directly affecting the coastal zone must be consistent to the maximum extent practicable with the revised district program.

Congratulations to the Northwest Arctic Borough for its success in seeing this major plan revision through to approval!

Frank Stein of the Northwest Arctic Borough accepts a Certificate of Approval for the Coastal Management Program from Julie Hammonds Penn of DGC.



1998 ACMP CONFERENCE

Tools

FOR COASTAL MANAGERS

"If all you have is a hammer in your toolbox, then everything has to look like a nail."

-Keynote Speaker at 1997 AML Conference

We know that challenges come in all shapes and sizes, so our goal is to offer a variety of really useful tools for coastal district coordinators to add to their 'box.'

The conference is scheduled for Thursday and Friday, April 9-10 in Juneau. If you have any questions, please call Julie Hammonds Penn at (907) 465-8789.



Excerpts from the January Regional Coastal District Conference.

Lake & Peninsula Borough

A quarterly newsletter to educate borough residents about the ACMP appears to be successful. According to Bobby Jo Kramer, a borough planner, "Our office seems to be getting more and more inquiries. They are actually starting to ask ahead of time."

Kenai Peninsula Borough

Glenda Landua reported that life revolves around project reviews in her office. In fact, during 1997 they completed 33 DGC reviews, 68 single agency reviews, and 241 internal reviews. Glenda also noted that DGC nominated the borough for the Walter B. Jones Memorial Award from NOAA. They received this award in October.

Cordova

Despite local resistance to "plans, zones, and ordinances," Cordova is moving forward in its coastal management plan development process. They hired Jim Glaspell to coordinate

their CMP effort. Jim says they are using DGC's recently published "Drafting Principles for Enforceable Policies" and they are working with DCRA to create a GIS for their resource inventory.

Yakutat

Brett Meyer is the new city planner for Yakutat. He is looking forward to receiving comments on the Concept Approved Draft of Yakutat's CMP.

Aleutians West CRSA

Karoi Kolehmainen introduced herself as Mary Pearsall's replacement. She reported that the AWCRSA will not go forward with the Dutch Harbor AMSA.

Northwest Arctic Borough

Victor Karmun reported on coast-related activities in the borough. Frank Stein discussed the process the borough uses to involve each village in the borough's planning efforts. According to Frank, NAB has always held annual village meetings to discuss projects and solicit feedback.

Now NAB wants to develop local planning committees within each village. They plan to send a trainer out to educate villagers on the planning process. Then they hope to use these committees to implement NAB plans, including their new Coastal Management Plan, at the local level.

North Slope Borough

Jon Dunham says NSB is working on what he calls an "informed development process." In essence, the borough sends the developer to the villages for open dialogue before they file their applications. According to Jon, "We've found if you go to the community and respect them and ask their opinions—problems are resolved up front."

NSB has also requested that DGC review and remove the general concurrence for onshore seismic surveys. NSB wants the opportunity to apply their Coastal Management Plan to these surveys.

Jon offered some advice to districts currently undergoing military clean-up

efforts. He recommends an independent analysis of the clean-up effort to make sure it is really cleaned up.

Bering Straits CRSA

In light of the Trapper's Creek Cabin court decision, Chuck Degnan pointed out that sometimes a local CMP can be misinterpreted by state agencies. Chuck says "the people in our area understand our CMP, they like it and it works—most of the time." According to Chuck, it doesn't work when someone lacking in local knowledge interprets the CMP.

BBCRSA

John Easton introduced himself and said he believes the CMP is the best plan the CRSA has. He appreciates the opportunity the ACMP offers rural communities for protecting subsistence. John is looking forward to coordinating some ACMP 101 training for himself and his board.

City of Whittier

Cleanup of old military sites and of rubble covered over after the '64 earthquake is a real problem in Whittier. Ann Poss detailed some of the cleanup efforts planned in the near future.

Anchorage

Thede Tobish says Anchorage is embarking on their comprehensive plan revision process. The Assembly

voted to adopt community-based goals and objectives. Subarea community plans will be the first tier in the comp planning process. The subarea plans will feed into the overall comp plan.

Ceñaliulriit

Gail Alstrom has 3 new board members and plans are underway to update their CMP. According to Gail, subsistence is the community's top priority.

Bristol Bay Borough

Arne Erickson reported that things are pretty slow in the borough. There have been 2 reviews in the last 8 months, one for a dock constructed in the late '70s and another for a 30-year old cannery. According to Arne, "no fish equals no construction." The borough is also undergoing some military base clean ups.

Nome

Robert Fagerstrom reported Nome's centennial celebration begins this year.

Kodiak Island Borough

Linda Freed says a new public transit system starts on Monday. In addition the new rocket launch facility and a \$20 million dollar fisheries facility are underway.

MatSu Borough

According to Ken Hudson the MatSu is in

Program News from page 12

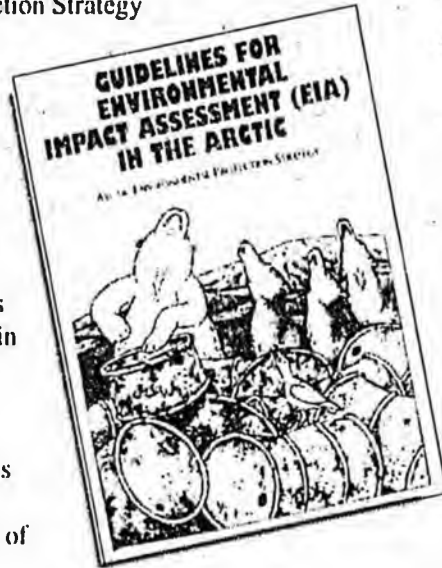
an era of "exploding opportunity." They complete 500 to 600 project reviews annually. Local issues are driven by the influx of new residents and the lack of a comp plan. The borough is using a 309 grant to address their shoreline management plan and it appears that a community-based comp plan process may be making headway.

Harbor BMPs

The Alaska Department of Environmental Conservation (DEC) incorporated a Harbors and Marinas chapter in its revised Alaska Nonpoint Source Management Strategy. This chapter includes a task to develop harbor specific Best Management Practices (BMPs) programs. Through the support of the ACMP Coastal Clean Water Program funds, the Division of Governmental Coordination hired a consultant to prepare a manual of BMPs for Harbor, Marina, and Boat Operations and Maintenance. At the October 1997 meeting of the Alaska Association of Harbormasters and Port Administrators, the association endorsed the need to develop a harbor-specific BMP program, and adopted the BMP manual as a model.

Guidelines for Environmental Impact Assessment in the Arctic

By Kerry Howard, Project Analyst, DGC
In 1991 at Rovaniemi, Finland, ministers from all arctic countries approved the Arctic Environment Protection Strategy (AEPS), which seeks to protect the Arctic environment. The Arctic Council was established in September 1996 to oversee the AEPS and its various programs. One of the AEPS programs is Sustainable Development and Utilization, where sustainable development is defined as development that meets the needs of the present generation without compromising the ability of future generations to meet their needs. Sustainable development requires a planning approach where environmental integrity is maintained at permissible levels of development. Environmental impact assessment (EIA) may assist this planning approach and, therefore, is one means to help achieve sustainable development.



In 1996 at Inuvik, Northwest Territories, the Arctic ministers asked that EIA guidelines be prepared. The ministers recommended that the guidelines should focus on circumstances and issues of special importance in the Arctic, and explore ways of dealing with cumulative impacts, transboundary issues, the participation of indigenous people and the use of traditional knowledge. Finland was asked to act as the lead country for the writing of the guidelines.

After months of work and a truly international effort, the *Guidelines for Environmental Impact Assessment in the Arctic*, are now available in final form as a 50-page booklet. DGC will be distributing copies of the guidelines to state agencies and Arctic communities. For further information about the guidelines, please contact Kerry Howard or Glenn Gray.



Kalubik, Arete, Cairn and Iceberg Wells have all received final consistency determinations from DGC.

North Slope NPDES General Permit Revision

DGC issued the final consistency determination on January 20. This revised general permit will streamline approvals for discharge of water used to test new pipelines such as the Bañami pipeline. The revision to this general permit also extends uses covered by the existing permit to offshore areas.

Tongass Planning Implementation Team

DGC is participating in a collaborative stewardship effort consisting of state and federal agencies, and the Forest Service. The primary purpose of the Team is

to discuss the interpretation and implementation of Tongass Land Management Plan standards and guidelines.

Juneau Golf Course
Totem Creek Inc.'s 18-hole golf course, to be located on the northwest side of Douglas Island, has been found consistent with the ACMP. As a result of public and agency comments received by DGC, 49 project stipulations will be incorporated into the final engineered design to be submitted for CBJ approval. The stipulations address concerns related to the protection of Peterson Creek fisheries, water quality, wetlands, timber harvest, erosion potential and other unique environmental characteristics of the area.

DGC routinely provides permit assistance to applicants seeking approvals from more than one agency, schedules agency review of these projects, and issues ACMP consistency determinations. Below is a summary of project review statistics for January and for the calendar year.

Action Taken On Project Applications During January, 1998

Consistent:	5
Consistent with Stipulations:	10
Inconsistent:	0
Elevated:	0
Total Projects:	15

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THIS YEAR IS YOTO
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- 13 **PROJECT REVIEW NEWS**

coastal events calendar

april 9-10

Annual Alaska Coastal Management Program Conference
Centennial Hall,
Juneau, AK
Gabrielle LaRoche
(907) 465-3541

april 15-17

Team Wetlands: An American Wetlands Month Conference
Arlington, Virginia
Terrene Institute
1-800-726-4853
terrinst@aol.com

may 3-6

Watershed '98 - Watershed Management: Moving from Theory to Implementation
Denver, CO
Contact Water Environment Federation
(703) 684-2400
confinfo@wef.org

may 6-7

Coastal Partnerships: A Collaborative Approach to Coastal Project Review
A workshop for coastal district representatives and state permittees working in Western and Northern Alaska.
Julie Hammonds Penn
(907) 465-8789
julie_penn@gov.state.ak.us

july 12-15

Minding the Coast: It's Everybody's Business
Williamsburg, Virginia
The Coastal Society
<http://www.vlms.edu/TCS16/>

august 30-sept. 3

Coastal Zone Canada Coastal Communities in the

21st Century: Shaping Our Experience - Building Our Knowledge
Victoria, British Columbia
Email: czc98@ios.bc.ca
(250) 721-8470
www.ios.bc.ca/ios/czc98/

september

Southeast Coastal District Regional Conference
Peter McKay, DCRA
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Peter_McKay@comregof.state.ak.us

Date and location TBA

september 19

International Coastal Cleanup Day

Coastal Currents is published bi-monthly by the Alaska Division of Governmental Coordination. Coastal Currents seeks to provide a useful forum for relevant news, views and practical resources for coastal management professionals in Alaska.

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NEWS AND VIEWS ON ALASKA'S COASTAL MANAGEMENT PROGRAM

COASTAL
CURRENTS



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1998 ACMP CONFERENCE
Tools
FOR COASTAL MANAGERS

Mark your calendar!
April 9-10 • Juneau

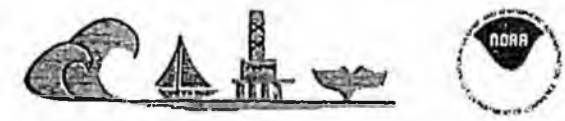
Alaska Coastal Management Program Coastal Districts Grouped by Region

- Regions**
- Arctic
 - Western
 - Southwest
 - Southcentral
 - Southeast



by Kenyon G/ IDEC 465-5313 November 18, 1996

The representation shown here is for graphical purposes only and has no legal standing. For authoritative determinations of whether an area is located in the coastal zone, refer to the current version of the Coastal Zone Boundaries of Alaska atlas, prepared by the Alaska Department of Fish and Game, Division of Habitat and Restoration.



ALASKA COASTAL POLICY COUNCIL MEMBERS AND ALTERNATES

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Note:

The date in parenthesis beside each member's name indicates the expiration date of term. Members serve until a replacement is appointed. According to AS 44.19.155(a), public members are appointed by the Governor from a list of names nominated by municipalities of each region. Nominees must be borough assembly or city council members or mayors. In the case of a resignation, the Governor appoints a new member from among eligible local officials for the remainder of the term.

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Yakutat, City and Borough of

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Mr. Sam Flora, Planner
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File: District/mjb

**Alaska Coastal Management Program
Project Review Summary**

	Total Multi-Permit Reviews	Elevations	Coastal Policy Council Petitions
FY97 to date	196	2	
FY96	389	10	State Oil & Gas Lease Sale 79* Mt. Roberts Tramway Prince William Sound Tanker Contingency Plans* Favorite Bay 1 Corea Creek Federal No. 1
FY95	400	3	Falls Creek State Timber Sale*
SB 238 effective August 1994			
FY94	368	6	
FY93	319	4	Timber Creek Trapping Cabin Permit*
Pre-FY93			3 petitions to CPC

* Single Agency Review

Alaska State Legislature

REPRESENTATIVE
GENE THERRIAULT

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While in Session
State Capitol
Juneau, Alaska
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Fax: (907) 465-3884

House District 33

House Of Representatives

MEMORANDUM

TO: ✓ Representative Bill Hudson, Co-Chair
Representative Scott Ogan, Co-Chair
Representative Joe Green, Chairman-HB 28 subcommittee
House Resources Committee

FROM: Representative Gene Therriault 

DATE: February 3, 1998

SUBJECT: Scheduling of HB 28 – Proposed CS (work draft "E")

I respectfully request that the proposed work draft for House Bill 28, "An Act modifying the Alaska coastal management program and the responsibilities of the Alaska Coastal Policy Council." be scheduled for a hearing in the House Resources Committee. The work draft was submitted to the Resources subcommittee for consideration last session.

I believe the Resources Committee will be able to support the proposal, which does not repeal the Coastal Zone Management Program. The work draft modifies the Coastal Management program as follows:

- "Shrinks" the coastal zone boundary to only include the zones of direct interaction and direct influence.
- Prohibits a coastal resource district from simply adopting state statutes and regulations as their local plans.
- Clarifies that the ACMP is not intended to expand any agency authority beyond that agency's statutory authority.
- Eliminates the petition review process of consistency determinations.

During the interim I sent the work draft out for comments to all coastal districts, the Alaska Oil and Gas Association and the Resource Development Council. Attached you will find copies of the responses I have received to date. Also attached is the finding and recommendations from the Minerals Commission's annual report regarding the coastal management program. I have requested comments on the work draft from the administration and will forward them to you as soon as they are received.

I appreciate your consideration of my request and I look forward to working with the Resources Committee on House Bill 28.

Attachments

Sectional Analysis of CS HB28(), workdraft "E", 3/6/97

"An Act modifying the Alaska coastal management program and the responsibilities of the Alaska Coastal Policy Council."

- Sec 1 Amends AS 44.19.145 to conform to changes made in section 5
- Sec 2 Amends AS 46.40.030 requiring the delineation within the district of the boundaries to include the zone of direct interaction and the zone of direct influence, the boundary may not include any area landward from the above mentioned zones
- Sec 3 Adds a new subsection to AS 46.40.030 prohibiting a coastal resource district from incorporating statutes and regulations into their statements of policies and regulations
- Sec 4 Amends AS 46.40.094 to conform to changes made in section 5
- Sec 5 Adds a new subsection to AS 46.40.096 prohibiting a state agency or coastal resource district from stipulating to a matter or subject for which the agency or district may not by law exercise authority; Coordinating agency may not accept a stipulation as part of the consistency determination if it violates this policy
- Sec 6 repeals eliminating the petition process to the Coastal Policy Council
- Sec 7 gives a municipality or CRSA that has an approved coastal plan 180 days to comply with the changes in sections 2 and 3. Allows the CPC to enter and order modifying plans that are out of compliance with changes made in sections 2 and 3.

CS FOR HOUSE BILL NO. 28()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTIETH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES THERRIAULT, Kelly

A BILL

FOR AN ACT ENTITLED

1 "An Act modifying the Alaska coastal management program and the
2 responsibilities of the Alaska Coastal Policy Council."

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

4 * Section 1. AS 44.19.145(a) is amended to read:

5 (a) The office shall

6 (1) provide technical assistance to the governor and the legislature in
7 identifying long range goals and objectives for the state and its political subdivisions;

8 (2) prepare and maintain a state comprehensive development plan;

9 (3) provide information and assistance to state agencies to aid in
10 governmental coordination and unity in the preparation of agency plans and programs;

11 (4) review planning within state government as may be necessary for
12 receipt of federal, state, or other funds;

13 (5) participate with other countries, provinces, states, or subdivisions
14 of them in international or interstate planning, and assist the state's local governments,

- 1 governmental conferences, and councils in planning and coordinating their activities;
- 2 (6) encourage educational and research programs that further state
- 3 planning and development, and provide administrative and technical services for them;
- 4 (7) publish such statistical information or other documentary material
- 5 as will further the provisions and intent of AS 44.19.141 - 44.19.152;
- 6 (8) assist the governor and the Department of Community and Regional
- 7 Affairs in coordinating state agency activities that have an effect on the solution of
- 8 local and regional development problems;
- 9 (9) serve as a clearinghouse for information, data, and other materials
- 10 that may be helpful or necessary to federal, state, or local governmental agencies in
- 11 discharging their respective responsibilities or in obtaining federal or state financial or
- 12 technical assistance;
- 13 (10) review all proposals for the location of capital improvements by
- 14 any state agency and advise and make recommendations concerning location of these
- 15 capital improvements;
- 16 (11) render, on behalf of the state, all federal consistency
- 17 determinations and certifications authorized by 16 U.S.C. 1456 (sec. 307, Coastal Zone
- 18 Management Act of 1972), and each conclusive state consistency determination when
- 19 a project requires a permit, lease, or authorization from two or more state resource
- 20 agencies; a consistency determination made under this paragraph is subject to
- 21 AS 46.40.096(h).

22 * Sec. 2. AS 46.40.030 is amended to read:

23 Sec. 46.40.030. Development of district coastal management programs.

24 Coastal resource districts shall develop and adopt district coastal management programs

25 in accordance with the provisions of this chapter. The program adopted by a coastal

26 resource district shall be based upon a municipality's existing comprehensive plan or

27 a new comprehensive resource use plan or comprehensive statement of needs, policies,

28 objectives, and standards governing the use of resources within the coastal area of the

29 district. The program must be consistent with the guidelines and standards adopted by

30 the council under AS 46.40.040 and must include

- 31 (1) a delineation within the district of the boundaries of the coastal area

1 subject to the district coastal management program; the delineation required by this
 2 paragraph

3 (A) may include only a zone of direct interaction in which
 4 physical and biological processes are a function of direct contact between
 5 land and water, and a zone of direct influence that is landward of the zone
 6 of direct interaction and that is closely affected and influenced by the
 7 proximity between land and water;

8 (B) may not include areas landward of the areas described
 9 in (A) of this paragraph;

10 (2) a statement, list, or definition of the land and water uses and
 11 activities subject to the district coastal management program;

12 (3) a statement of policies to be applied to the land and water uses
 13 subject to the district coastal management program;

14 (4) regulations, as appropriate, to be applied to the land and water uses
 15 subject to the district coastal management program;

16 (5) a description of the uses and activities that [WHICH] will be
 17 considered proper and the uses and activities that [WHICH] will be considered
 18 improper with respect to the land and water within the coastal area;

19 (6) a summary or statement of the policies that [WHICH] will be
 20 applied and the procedures that [WHICH] will be used to determine whether specific
 21 proposals for land or water uses or activities shall be allowed; and

22 (7) a designation of, and the policies that [WHICH] will be applied to
 23 the use of, areas within the coastal resource district that [WHICH] merit special
 24 attention.

25 * Sec. 3. AS 46.40.030 is amended by adding a new subsection to read:

26 (b) In developing statements of policies and regulations under (a) of this
 27 section, a coastal resource district may not incorporate by reference statutes and
 28 administrative regulations adopted by state agencies.

29 * Sec. 4. AS 46.40.094 is amended by adding a new subsection to read:

30 (d) A consistency determination made under this section is subject to
 31 AS 46.40.096(h).

1 * Sec. 5. AS 46.40.09b is amended by adding a new subsection to read:

2 (h) In a consistency review or determination process authorized by this section
3 or set out in a regulation adopted under authority of AS 46.40.010 - 46.40.210.

4 (1) a state agency or coastal resource district may ^{only} not stipulate to a
5 matter or subject for which the agency or district ~~may not by law exercise authority;~~
6 and

7 (2) the agency responsible for a consistency review or determination
8 may not accept a stipulation as a part of the consistency determination if the stipulation
9 violates (1) of this subsection.

10 * Sec. 6. AS 46.40.096(d)(4), 46.40.096(e), 46.40.096(f), 46.40.100(b), 46.40.100(c),
11 46.40.100(d), 46.40.100(e), 46.40.100(f), and 46.40.100(g) are repealed.

12 * Sec. 7. MODIFICATION OF APPROVED COASTAL MANAGEMENT PROGRAM

13 PLANS. (a) In a municipality or coastal resource service area for which the Alaska Coastal
14 Policy Council has approved a district coastal management program as to which the
15 boundaries of the coastal area subject to the district coastal management program are not, on
16 the effective date of this Act, consistent with AS 46.40.030(1), as amended by sec. 2 of this
17 Act, or are not consistent with the prohibition of AS 46.40.030(b), added by sec. 3 of this Act,
18 the municipality or coastal resource service area shall submit to the Alaska Coastal Policy
19 Council, within 180 days of the effective date of this Act, program modifications to conform
20 the boundaries of the coastal area subject to the district coastal management program to
21 AS 46.40.030(1), as amended by sec. 2 of this Act or to conform the program to the
22 requirements of AS 46.40.030(b), added by sec. 3 of this Act.

23 (b) If a municipality or coastal resource service area does not comply with (a) of this
24 section, the Alaska Coastal Policy Council may enter an order modifying the boundaries of
25 the coastal area subject to the district coastal management program to conform to
26 AS 46.40.030(1), as amended by sec. 2 of this Act, or deleting the incorporation by reference
27 of statutes and administrative regulations in violation of AS 46.40.030(b), added by sec. 3 of
28 this Act.

A M E N D M E N T

OFFERED IN THE HOUSE

BY REPRESENTATIVE THERRIAULT

TO: CSHB 28(), Draft Version "E"

1 Page 4, line 4:

2 Delete "not"

3 Insert "only"

4 Page 4, line 5:

5 Delete "may not by law exercise authority"

6 Insert "has authority under a statute outside of this chapter"

CS FOR HOUSE BILL NO. 28(RES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE RESOURCES COMMITTEE

Offered:

Referred:

Sponsor(s): REPRESENTATIVES THERRIAULT, Kelly

A BILL

FOR AN ACT ENTITLED

1 **"An Act modifying the Alaska coastal management program and the**
2 **responsibilities of the Alaska Coastal Policy Council."**

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

4 *** Section 1.** AS 44.19.145(a) is amended to read:

5 (a) The office shall

6 (1) provide technical assistance to the governor and the legislature in
7 identifying long range goals and objectives for the state and its political subdivisions;

8 (2) prepare and maintain a state comprehensive development plan;

9 (3) provide information and assistance to state agencies to aid in
10 governmental coordination and unity in the preparation of agency plans and programs;

11 (4) review planning within state government as may be necessary for
12 receipt of federal, state, or other funds;

13 (5) participate with other countries, provinces, states, or subdivisions
14 of them in international or interstate planning, and assist the state's local governments,

1 governmental conferences, and councils in planning and coordinating their activities;

2 (6) encourage educational and research programs that further state
3 planning and development, and provide administrative and technical services for them;

4 (7) publish such statistical information or other documentary material
5 as will further the provisions and intent of AS 44.19.141 - 44.19.152;

6 (8) assist the governor and the Department of Community and Regional
7 Affairs in coordinating state agency activities that have an effect on the solution of
8 local and regional development problems;

9 (9) serve as a clearinghouse for information, data, and other materials
10 that may be helpful or necessary to federal, state, or local governmental agencies in
11 discharging their respective responsibilities or in obtaining federal or state financial or
12 technical assistance;

13 (10) review all proposals for the location of capital improvements by
14 any state agency and advise and make recommendations concerning location of these
15 capital improvements;

16 (11) render, on behalf of the state, all federal consistency
17 determinations and certifications authorized by 16 U.S.C. 1456 (sec. 307, Coastal Zone
18 Management Act of 1972), and each conclusive state consistency determination when
19 a project requires a permit, lease, or authorization from two or more state resource
20 agencies; a consistency determination made under this paragraph is subject to
21 AS 46.40.096(h).

22 * Sec. 2. AS 46.40.030 is amended to read:

23 **Sec. 46.40.030. Development of district coastal management programs.**

24 Coastal resource districts shall develop and adopt district coastal management programs
25 in accordance with the provisions of this chapter. The program adopted by a coastal
26 resource district shall be based upon a municipality's existing comprehensive plan or
27 a new comprehensive resource use plan or comprehensive statement of needs, policies,
28 objectives, and standards governing the use of resources within the coastal area of the
29 district. The program must be consistent with the guidelines and standards adopted by
30 the council under AS 46.40.040 and must include

31 (1) a delineation within the district of the boundaries of the coastal area

1 subject to the district coastal management program; the delineation required by this
 2 paragraph

3 (A) may include only a zone of direct interaction in which
 4 physical and biological processes are a function of direct contact between
 5 land and sea, and a zone of direct influence that is landward of the zone
 6 of direct interaction and that is closely affected and influenced by the
 7 proximity between land and sea;

8 (B) may not include areas landward of the areas described
 9 in (A) of this paragraph;

10 (2) a statement, list, or definition of the land and water uses and
 11 activities subject to the district coastal management program;

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 13 subject to the district coastal management program;

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 27 section, a coastal resource district may not incorporate by reference statutes and
 28 administrative regulations adopted by state agencies.

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30 (d) A consistency determination made under this section is subject to
 31 AS 46.40.096(h).

1 * **Sec. 5.** AS 46.40.096 is amended by adding a new subsection to read:

2 (h) In a consistency review or determination process authorized by this section
3 or set out in a regulation adopted under authority of AS 46.40.010 - 46.40.210,

4 (1) a state agency or coastal resource district may only stipulate to a
5 matter or subject for which the agency or district has authority under a statute outside
6 of this chapter; and

7 (2) the agency responsible for a consistency review or determination
8 may not accept a stipulation as a part of the consistency determination if the stipulation
9 violates (1) of this subsection.

10 * **Sec. 6.** AS 46.40.096(d)(4), 46.40.096(e), 46.40.096(f), 46.40.100(b), 46.40.100(c),
11 46.40.100(d), 46.40.100(e), 46.40.100(f), and 46.40.100(g) are repealed.

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17 Act, or are not consistent with the prohibition of AS 46.40.030(b), added by sec. 3 of this Act,
18 the municipality or coastal resource service area shall submit to the Alaska Coastal Policy
19 Council, within one year of the effective date of this Act, program modifications to conform
20 the boundaries of the coastal area subject to the district coastal management program to
21 AS 46.40.030(1), as amended by sec. 2 of this Act or to conform the program to the
22 requirements of AS 46.40.030(b), added by sec. 3 of this Act.

23 (b) If a municipality or coastal resource service area does not comply with (a) of this
24 section, the Alaska Coastal Policy Council may enter an order modifying the boundaries of
25 the coastal area subject to the district coastal management program to conform to
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28 this Act.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

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Mail Stop 3101

130 Seward Street, Suite 405
Juneau, Alaska 99801-2105

MEMORANDUM

February 20, 1998

SUBJECT: Alaska coastal management program (CSHB 28(RES))

TO: Representative Bill Hudson
Attn: Marieke Barnes

FROM: Richard A. Glover *RAG*
Legislative Counsel

Enclosed is the CS you requested for the House Resources Committee. As authorized by your staff, I have made the change to the definitions of the applicable zones of interaction in AS 46.40.030 to "land and sea" at page 3, line 7, as well as at the requested line 5.

I wish to alert you that while "water" is an easily understood term with a common meaning, "sea" may not be. Fresh water may extend great distances into the ocean at the mouth of large rivers, or sea water may be found inland a great distance. If the boundaries are of critical importance, it may be appropriate to further define the term "sea."

If I may be of further assistance, please advise.

RAG:glc
98-096.glc

Enclosure

*Jerry called
Susan 2/17*

*They oppose this
because it takes
them away from
the same thing
I to the 1st
177*

0-LS0189B
Glover
2/20/98

CS FOR HOUSE BILL NO. 28(RES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE RESOURCES COMMITTEE

Offered:
Referred:

Sponsor(s): REPRESENTATIVES THERRIAULT, Kelly

A BILL

FOR AN ACT ENTITLED

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