



# LAWS OF ALASKA

2002

**Source**  
CSSB 308(FIN)

**Chapter No.**  
28

---

## AN ACT

Relating to the Alaska coastal management program and the responsibilities of the Alaska Coastal Policy Council; and providing for an effective date.

---

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

THE ACT FOLLOWS ON PAGE 1

**Approved by the Governor:** May 29, 2002  
**Actual Effective Date:** May 30, 2002

AN ACT

1 Relating to the Alaska coastal management program and the responsibilities of the Alaska  
2 Coastal Policy Council; and providing for an effective date.

3

4 \* **Section 1.** AS 46.40.030 is amended by adding a new subsection to read:

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

8 \* **Sec. 2.** AS 46.40.094 is amended by adding a new subsection to read:

9 (d) Notwithstanding any other provision of this section, for a natural gas  
10 pipeline project from the Alaska North Slope following a route that parallels the Trans  
11 Alaska Pipeline System and the Alaska Highway to the Canadian border or a route  
12 that runs south to Alaska tidewater, any agency responsible for the consistency  
13 determination with respect to proposed uses or activities involved in the project may,  
14 in its discretion, conduct the review and make the consistency determination in

**Chapter 28**

1 separate phases in a manner that promotes review of proposed uses and activities  
2 based upon the project's design, construction sequence, and schedule.

3 \* **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to  
4 read:

5 **MODIFICATION OF APPROVED COASTAL MANAGEMENT PROGRAM**  
6 **PLANS.** (a) In a municipality or coastal resource service area for which the Alaska Coastal  
7 Policy Council has approved a district coastal management program that is not consistent with  
8 the prohibition of AS 46.40.030(b), added by sec. 1 of this Act, the municipality or coastal  
9 resource service area shall submit to the Alaska Coastal Policy Council, within one year after  
10 the effective date of this Act, program modifications to conform the program to the  
11 requirements of AS 46.40.030(b), added by sec. 1 of this Act.

12 (b) If a municipality or coastal resource service area does not comply with (a) of this  
13 section, the Alaska Coastal Policy Council may enter an order deleting the incorporation by  
14 reference of statutes and administrative regulations in violation of AS 46.40.030(b), added by  
15 sec. 1 of this Act.

16 \* **Sec. 4.** This Act takes effect immediately under AS 01.10.070(c).