

Alaska Coastal Management Program Initiative Sectional Analysis

“An Act Establishing the Alaska Coastal Management Program”

Section 1. Adds a new chapter 41 to Title 46 in Alaska Statutes.

Sec. 46.41.010(a). Creates the Alaska Coastal Policy Board in the Department of Commerce, Community and Economic Development (DCCED). The board is comprised of the three resource agency commissioners and the DCCED commissioner and nine public members. The public members are chosen by the governor from a list of at least three names submitted by the coastal district of each of the nine regions represented on the board.

Secs. 46.41.010(b)-(i). Administrative provisions for the Board.

Sec. 46.41.020. The Board’s powers and duties include reviewing and approving the regulations necessary to implement the coastal management program; initiating interagency coastal and ocean regional planning; reviewing and approving coastal district management plans; and establishing coordination among state agencies to facilitate development and implementation of the coastal program.

Sec. 46.41.030. Creates the division of ocean and coastal management in DCCED. Among other things, the division is tasked with adopting the regulations approved by the Board for implementation of the coastal program and is responsible for performing state and federal consistency determinations.

Sec. 46.41.040. Establishes the criteria for development of the coastal management program regulations. Specifies that the coastal districts, district boundaries, and approved coastal management plans in effect as of June 30, 2011 are in effect and incorporated into the coastal management program.

Sec. 46.41.050. Establishes objectives for the coastal management program that address the use, management, restoration, enhancement, development, and protection of the coastal environment; coordination among government agencies and citizens; and public and government participation in development and implementation of the coastal management program. The objectives also include the requirement that state resource agencies act in accordance with the coastal program.

Secs. 46.41.060-080. Establishes the criteria, requirements and process for development of district coastal management plans and implementation of the plans.

Sec. 46.41.090. Requires that municipalities and state resource agencies act in conformity with the approved district coastal management plans; and establishes superior court jurisdiction for enforcement of lawful orders of the Board and DCCED.

Secs. 46.41.100-170. Establishes the process for creation and functioning of coastal resource service areas in the unorganized borough.

Sec. 46.41.180. Nothing in the Act shall be construed to diminish state jurisdiction over land or water resources, submerged land, or navigable water; affect any state requirement imposed under a federal authorization or federal waiver of sovereign immunity; or diminish municipal zoning or planning authority.

Sect. 46.41.900. Definitions.