

AMENDMENT # 1

OFFERED IN THE SENATE

BY SENATOR GIESSEL

TO: CSSB 51(RES), Draft Version "R"

- 1 Page 1, line 11:
- 2 Delete "law"
- 3 Insert "statute"

AMENDMENT # 2

OFFERED IN THE SENATE

BY SENATOR GIESSEL

TO: CSSB 51(RES), Draft Version "R"

1 Page 1, lines 2 - 6:

2 Delete "relating to the authority of the Department of Environmental
3 Conservation, the Department of Fish and Game, and the Department of Natural
4 Resources to nominate water for designation as outstanding national resource water;
5 relating to management of outstanding national resource water by the Department of
6 Environmental Conservation;"

7

8 Page 1, line 9:

9 Delete "(a)"

10

11 Page 1, line 12, through page 2, line 13:

12 Delete all material.

AMENDMENT #3

OFFERED IN THE SENATE

BY SENATOR GIESSEL

TO: CSSB 51(RES), Draft Version "R"

1 Page 1, following line 7:

2 Insert a new bill section to read:

3 **** Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
4 to read:

5 LEGISLATIVE INTENT. (a) It is the intent of the legislature to continue to contest
6 the authority of the United States Environmental Protection Agency to

7 (1) preempt a decision of the legislature related to the development of state
8 land or water, including by designating water as outstanding national resource water;

9 (2) control the authority of the legislature to decide which land or water
10 should be off limits to development; and

11 (3) determine whether to remove an outstanding national resource water
12 designation.

13 (b) The legislature encourages the attorney general to defend the state's sovereign
14 interests in matters related to designation of water as outstanding national resource water,
15 especially designations that limit development of land selected by the state under sec. 6 of the
16 Alaska Statehood Act of 1958 (P.L. 85-508; 72 Stat. 339), as amended."

17

18 Page 1, line 8:

19 Delete "**Section 1**"

20 Insert "**Sec. 2**"

21

22 Renumber the following bill section accordingly.

AMENDMENT # 4

OFFERED IN THE SENATE

BY SENATOR KAWASAKI

TO: CSSB 51(RES), Draft Version "R"

- 1 Page 1, line 12:
- 2 Delete "may"
- 3 Insert "shall"

AMENDMENT #5

OFFERED IN THE SENATE

BY SENATOR KAWASAKI

TO: CSSB 51(RES), Draft Version "R"

1 Page 2, lines 2 - 4:

2 Delete "report listing each water nominated in the previous calendar year. The report
3 must provide a recommendation regarding whether each nominated water should be
4 designated as outstanding national resource water."

5 Insert "preliminary recommendation regarding the designation for each water
6 nominated. Notwithstanding AS 44.62 and AS 46.03.880, the department shall provide an
7 opportunity for public comment on the recommendation. After the close of public comment,
8 the department shall finalize its recommendation. If the department is unable to finalize a
9 recommendation during the calendar year in which the water nomination is received, the
10 department shall finalize the recommendation the following calendar year. The department
11 shall prepare a report listing each water nominated in the previous calendar year and the final
12 recommendation regarding designation for the water."

AMENDMENT # 6

OFFERED IN THE SENATE

BY SENATOR KAWASAKI

TO: CSSB 51(RES), Draft Version "R"

1 Page 1, lines 1 - 2:

2 Delete "requiring the designation of state water as outstanding national resource
3 water to occur by law;"

4

5 Page 1, line 4:

6 Delete "nominate water for designation as"

7 Insert "designate"

8

9 Page 1, lines 9 - 10:

10 Delete "Water of the state may be designated"

11 Insert "The department may designate water of the state"

12

13 Page 1, line 11:

14 Delete ", only by law"

15

16 Page 1, line 13, through page 2, line 4:

17 Delete "In consultation with the Department of Fish and Game and the Department of
18 Natural Resources, the department shall prepare a report listing each water nominated in the
19 previous calendar year. The report must provide a recommendation regarding whether each
20 nominated water should be designated as outstanding national resource water."

21 Insert "Before making a designation under (a) of this section, the department shall
22 consult with the Department of Fish and Game and the Department of Natural Resources to
23 determine whether to designate the nominated water as outstanding national resource water."

1 Each year, the department shall prepare a report listing each water designated as outstanding
2 national resource water that year."

3

4 Page 2, lines 7 - 10:

5 Delete "The preparation and delivery of a report under this subsection does not
6 constitute a final agency decision or action, and the recommendation is not subject to appeal,
7 including appeal or review under AS 44.62 (Administrative Procedure Act)."

8

9 Page 2, line 13:

10 Delete "(a) of"