AMENDMENT #1

OFFERED IN THE SENATE
TO: CSSB 51(RES), Draft Version "R"

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

OFFERED IN THE SENATE

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

BY SENATOR GIESSEL

1 Page 1, lines 2 - 6:
   Delete "relating to the authority of the Department of Environmental
2 Conservation, the Department of Fish and Game, and the Department of Natural
3 Resources to nominate water for designation as outstanding national resource water;
4 relating to management of outstanding national resource water by the Department of
5 Environmental Conservation;"
6
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"

Page 1, following line 7:
Insert a new bill section to read:

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

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

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

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

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

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

Page 1, line 8:
Delete "Section 1"
Insert "Sec. 2"

Renumber the following bill section accordingly.
AMENDMENT # 4

OFFERED IN THE SENATE
TO: CSSB 51(RES), Draft Version "R"

BY SENATOR KAWASAKI

1 Page 1, line 12:
2 Delete "may"
3 Insert "shall"
OFFERED IN THE SENATE

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

BY SENATOR KAWASAKI

Page 2, lines 2 - 4:

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

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

OFFERED IN THE SENATE

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

Page 1, lines 1 - 2:
Delete "requiring the designation of state water as outstanding national resource water to occur by law;"

Page 1, line 4:
Delete "nominate water for designation as"
Insert "designate"

Page 1, lines 9 - 10:
Delete "Water of the state may be designated"
Insert "The department may designate water of the state"

Page 1, line 11:
Delete ", only by law"

Page 1, line 13, through page 2, line 4:
Delete "In consultation with the Department of Fish and Game and the Department of Natural Resources, the department shall prepare a report listing each water nominated in the previous calendar year. The report must provide a recommendation regarding whether each nominated water should be designated as outstanding national resource water."
Insert "Before making a designation under (a) of this section, the department shall consult with the Department of Fish and Game and the Department of Natural Resources to determine whether to designate the nominated water as outstanding national resource water."
Each year, the department shall prepare a report listing each water designated as outstanding national resource water that year."

Page 2, lines 7 - 10:
Delete "The preparation and delivery of a report under this subsection does not constitute a final agency decision or action, and the recommendation is not subject to appeal, including appeal or review under AS 44.62 (Administrative Procedure Act)."

Page 2, line 13:
Delete "(a) of"