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Still time to save coastal management program

By Rep. Beth Kertulla and Rep. Berta Gardner

We were disappointed when the House adjourned the recent Special Session three days early, failing by one vote to accept compromise language saving the Alaska Coastal Management Program, or ACMP. Sadly, the program was caught up in the larger House-Senate fight over the capital budget, and instead of taking the extra time to resolve it, the House simply gaveled out.

Loss of this program affects all Alaskans on many levels. Here are just a few:

- There will be delays in development. Many applicants with projects on state lands will have to go to multiple agencies for their permits, instead of using the essential coordination provided by the Division of Coastal and Ocean Management. The loss of coordinated, streamlined permitting will result in permitting delays and greater bureaucratic red tape. Developers will lose a single point of contact for state review, decreasing efficiency and increasing frustration. This will discourage investment by smaller companies that don't have legal divisions to deal with permitting.
- The state will lose the ability to review and comment on projects on federal lands and waters in Alaska. There is no other program where the state has a voice in federal permitting. This will give the feds greater say about what happens with Alaska's resources.
- We may lose the ability to receive federal revenue sharing from offshore oil and gas development. Several bills now before Congress would limit revenue sharing to states with an approved coastal plan.
- As Sen. Mark Begich has noted, federal law requires that permitting for a deep water port include state participation through a coastal zone management plan. Without such a plan in place, Alaska loses the ability to get a deepwater port in the Arctic at a time when the state is working hard to ramp up oil and gas development in the Outer Continental Shelf. The Legislature just put \$972,000 in the capital budget to identify and map potential deepwater Arctic ports.
- Local communities and their residents will lose their voice and will have a much harder time influencing projects on lands that they know and understand best, leading to costly, time-consuming and unnecessary lawsuits.

The current ACMP was badly weakened during the Murkowski administration, and is a source of continual frustration and anger to coastal residents. The House, the Senate and the governor have all agreed to important changes that will strengthen the program without providing veto power to local communities. The impasse preventing a final agreement is hung up on a handful of small remaining issues.

Earlier this month, the Legislature was very close to calling ourselves into special session to finish the discussion and pass a compromise bill. Unfortunately, House and Senate leadership couldn't find full agreement.

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In some ways, the issues that separate the House and Senate are as much about semantics as actual issues:

The House leadership wants the "House bill with five agreed upon changes." The Senate leadership wants the "Senate bill but will negotiate on a couple of points." What's most frustrating to us is: They're talking essentially about the same things with only two or three items in dispute.

Both sides now agree the governor should be able to remove a member of the Coastal Policy Board for cause. The disagreement is about definitions, procedures and notifications, and could be easily resolved.

Both sides agree there should be a study of the "DEC carve-out" that prevents ACOM from addressing air and water issues, and a recommendation to the Legislature. The debate is whether there should be a second, similar report two years later.

Both sides agree the traditional knowledge of local residents should be used in developing policies. This is a major breakthrough and would be a tremendous precedent in Alaska law. The disagreement is the mechanism by which this would interact with scientific evidence that may disagree with it.

The clock is ticking. We hope before that before time runs out on June 30, the Legislature can find agreement and retain the ACMP program which is critically important to Alaska's resource development.

Rep. Beth Kerttula, D-Juneau, is minority leader in the state House of Representatives and Rep. Berta Gardner, D-Anchorage, is the minority whip in the state House of Representatives.

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