



REPRESENTATIVE SCOTT OGAN

Alaska State Legislature

House District 27 • Palmer • Greater Palmer • Sutton • Chickaloon • Sheep Mountain

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Coastal Zone Petition Bill Passes House **HB 439 Would End Personal Petitions as Delaying Tactic**

(JUNEAU) – The House passed [House Bill 439](#) on Wednesday, to end a process in which individuals may challenge development projects along the state’s coast, but which bill supporters said has become a tactic for forcing pointless and costly delays in North Slope coastal oil and gas development.

The House Special Committee on Oil & Gas, chaired by Rep. Scott Ogan (R-Palmer) introduced HB 439 in response to concerns from individuals, Native corporations and developers planning projects within Alaska’s coastal zone. This bill improves the Coastal Management Program by removing an unnecessary and duplicative process from the consistency determination procedure. The petition process has resulted in frustration for both petitioners and permit applicants and resulted in no meaningful improvement of the oversight ACMP provides to coastal communities.

“The window for construction on the North Slope is only about 120 days, and it’s getting shorter every year because the weather is getting warmer up there,” Ogan said. “This year, \$50 million worth of projects were held up for 30 days through this personal petition program. It hasn’t killed any projects, but I think it is sending a message to the oil industry that discourages them from developing.”

“House Bill 439 is the first step in the long-term goal of streamlining the permit process and establishing single agency oversight. I have been told that it takes 30 days from application filing to issuance of a drill permit in Alberta. This is a model that I believe the state should be looking at. Our average time to get a permit to drill a North Slope exploratory well is currently 90 days, plus appeals.”

Under the personal petition process, any individual living within the far-reaching boundaries of a coastal district may claim his comments were not fairly considered, winning a 20-day window to file a formal petition. Then, the Coastal Zone Policy Council, a 15-member panel comprised of citizens and state department representatives, has up to 30 days to review and issue its ruling – not on the merits of the petitioner’s objections, but merely whether they were considered – resulting in delays of up to 50 days.

Since 2000, none of the 18 petitions the state has received through the program have proved valid, Ogan said. Nine were rejected as improperly prepared, but nine were accepted, prompting work stoppages. The Coastal Zone Policy Council ruled against five petitions after hearings, while petitioners eventually withdrew the last four petitions near or on the day of the hearing.

Ogan said he supports the right of individuals to participate in the development plan review process, and noted that people still have significant opportunities to review, comment on or protest plans for coastline development, including reviews of whether development is consistent with coastal management plans.

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The petition process has been targeted for elimination several times in the past, Ogan noted. In 1984, the Coastal Policy Council drafted but never implemented, its own regulations to end the process. In 1997 the governor introduced but failed to win passage of a bill to do the same. The Division of Governmental Coordination, the governor's agency responsible for overseeing the ACMP, did not register objection to HB 439, Ogan said.

HB 439 moves next to the Senate for consideration.

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or on the Majority webpage at www.akrepublicans.org