

DENALI BOROUGH, ALASKA
ORDINANCE NO. 05-21

INTRODUCED BY: Mayor David Talerico

AN ORDINANCE AMENDING THE DENALI BOROUGH CODE OF ORDINANCES ESTABLISHING
GAS EXPLORATION AND DEVELOPMENT REGULATIONS.

BE IT ENACTED by the Assembly of the Denali Borough, Alaska that:

Section 1. Classification. This ordinance is of a general and permanent nature.

Section 2. Purpose. The purpose of this ordinance is to amend the Denali Borough Code of Ordinances adding Chapter 9.25 to establish Gas Exploration and Development regulations as follows:

CHAPTER 9.25

GAS EXPLORATION AND DEVELOPMENT

Sections:

9.25.010 General Provisions.

A.) Prohibited Areas:

1. Gas exploration and development facilities shall not be located within the areas of the following townships that lie west of the Parks Highway:
Township F009S009W
Township F010S008W
Township F011S008W
Township F012S007W
Township F012S008W
Township F012S009W

B.) Setbacks:

1. The operator will construct drill pads at least 500 feet and compressor stations at least 1,500 feet from any recorded private property.
2. A variance may be granted from the setback requirement if the operator obtains written consent of the land owner/owners with the adjoining property line and has obtained approval from the Denali Borough Assembly following at least one public hearing.

C.) Surface use agreement:

1. Each operator with gas exploration and development facilities in the borough is required to enter into a written surface use agreement with all property owners

where gas exploration and development is located. Property owners may not be compelled to enter such agreements. The terms of a surface use agreement may be determined by the parties as long as they are not inconsistent with restrictions otherwise placed on operators by borough code.

D.) Regulations:

1. All federal and state regulations apply.

Section 3. Effective Date. This ordinance becomes effective upon adoption of the Denali Borough Assembly, and signature of the Mayor.

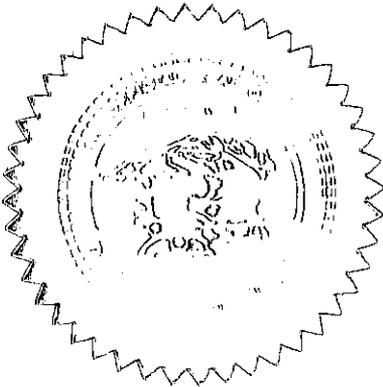
DATE INTRODUCED: December 14, 2005

FIRST READING: January 11, 2006

PUBLIC HEARING: January 11, 2006

PASSED and APPROVED by the DENALI BOROUGH ASSEMBLY this 13th day of September, 2006.

ATTEST:



David M. Talvio
Mayor

Gail Picknik
Borough Clerk