House Bill 95:

National Resource Water Nomination/Designation

Sponsored by: Representative George Rauscher, D29

Tier III

HB 95 gives the Legislature the authority to designate a body of water as Tier III. Tier III is also known as Outstanding National Resource Waters (ONWR).

Clean Water Act

Water Quality Tiers

Tier III – Outstanding National Resource Waters

Tier II – High Quality Waters

Tier I – Existing Uses (the “floor”)

40 Code of Federal Regulations 131.12(A)(3)

"Where high quality waters constitute an outstanding national resource, such as waters of the national and state parks and wildlife refuges and waters of exceptional recreational or ecological significance, that water quality shall be maintained and protected."

Department of Environmental Conservation Policy

Nominations

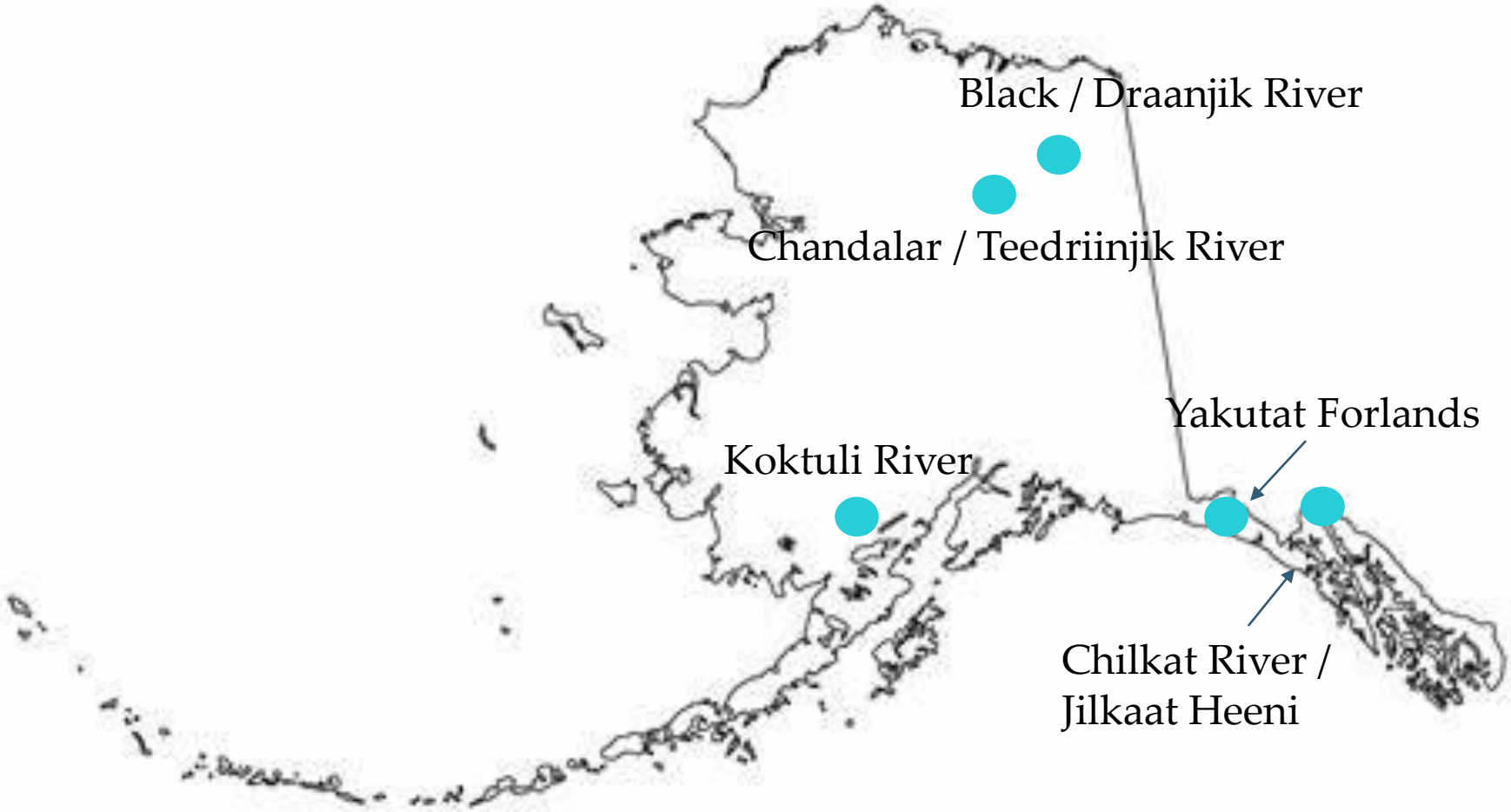
- Nominations are sent to their Legislators
- Proposing an introduction of legislation
- Usually through legislator whose district contains the proposed Tier III water

Committee Process

- Goes through the thorough legislative bill process

Written into law

- Bill passes • Waterbody is designated as Tier III



5 Potential Tier III Waters

Alaska Constitution, Article 8, Section 2

"The Legislature shall provide for the utilization, development, and conservation of all-natural resources belonging to the state, including land and waters, for the maximum benefit of its people."

Alaska Constitution, Article 8, Section 13

"All surface and subsurface waters reserved to the people for common use, except mineral and medicinal waters, are subject to appropriation. Priority of appropriation shall give prior right. Except for public water supply, an appropriation of water shall be limited to stated purposes and subject to preferences among beneficial uses, concurrent or otherwise, as prescribed by law, and to the general reservation of fish and wildlife."

Summary

Codifies Alaska Department of Environmental Conservation's Concurrent Tier III Policy

Could expedite the currently nominated waterbodies

Questions?

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