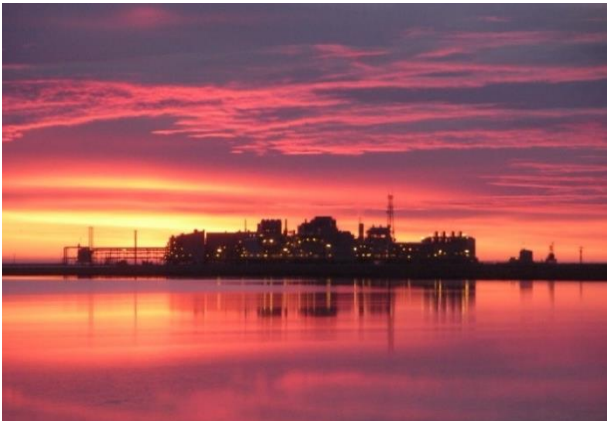


SB 68: Public Notice for Water Rights



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Alaska Department of Natural Resources
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Appropriation of Water



- Alaska Constitution Article 8 Section 13
- Title 46.15 Water Use Act
- Appropriation of Water
 - Right to Use Water
 - ✓ Permit
 - ✓ Certificate
 - Reservation of Water

AS 46 Public Notice Requirements



- Alaska Statute 46.15.133 (b) requires that, “The commissioner shall publish the notice in *one issue of a newspaper of general distribution in the area of the state in which the water is to be appropriated...*”
- Once the Division of Mining, Land and Water (DMLW) determines which newspaper best fits that description, the identified newspaper is contacted by DMLW, and a copy of the public notice is sent to the newspaper in order to obtain both a quote of the price of the ad and a copy of the proof of the ad for review before authorizing publication of the ad.
- The applicant is also sent the proof and provided with a contact at the newspaper in order to make payment, pursuant to AS 46.15.133 (b).
- Once the proof has been accepted, the ad is run in the newspaper with a date as close as possible to the starting date of the online public notice.
- There is an exemption to public notice in regulation 11 AAC 93.100 for appropriations of 5,000 gallons of water per day (gpd) or less.

Inefficiencies with Newspaper Notices



- Identifying a newspaper of general distribution in the area of the state in which the water is to be appropriated is not clear, especially in rural areas.
- A single day advertisement is a limited window of time to provide notice.
- Online services to get information have become more accessible since the Water Use Act was promulgated in 1966.
- The cost of a single day newspaper advertisement for a water right is expensive and can cost the applicant \$500 to \$1,500, depending on the length of the publication and the individual newspaper.
- It is expensive to extend a public notice in newspapers.
- DMLW staff must carefully coordinate newspaper publication dates with the Online Public Notice system.

Online Public Notice Benefits



- The [Alaska Online Public Notice System](#) (Online System) is available to everyone.
- There is no cost to applicants.
- Public notices are easily extended at no cost.
- Additional documents, maps, and figures can be attached.
- Submitting comments to DMLW through links provided in the Online System is easy and accurately sends the comment to the correct destination.
- Anyone can establish a subscription to get notified of specific topics, such as water rights.
- The Online System permanently archives public notices for future reference.
- DMLW already utilizes the Online System for land and mining notices.

A screenshot of the Alaska Online Public Notices website. The page features a navigation bar with links for "Home", "Search", "Browse", and "Log In". The main content area includes a "Notice to Vendors" section with a map of Alaska and buttons for "Search Notices", "Browse Active Notices", and "Login w/ myAlaska". Below this is a "Most Viewed" section with a list of notices, and a "Feature Spotlight" section with three featured items: "Advanced Search", "myAlaska Login", and "Comments".

State of Alaska myAlaska My Government Resident Business in Alaska Visiting Alaska State Employees

Online Public Notices

OFFICE OF THE LIEUTENANT GOVERNOR

Online Public Notices

Home Search Browse Log In

Notice to Vendors

The state's Vendor Self Services (VSS) website allows vendors to easily manage account information, track payments, and respond to procurements electronically.

CLICK HERE TO ACCESS VENDOR SELF SERVICES (VSS)
(Website is only accessible outside of the SOA network)

For references and resources about VSS vendors may access the following link:
<http://doa.alaska.gov/dof/iris/vendor.html>

Search Notices
Browse Active Notices
Login w/ myAlaska

Most Viewed Most Recent Upcoming Events/Deadlines

- RFP # 230001184, YKCC Recreation Area Renovations
- ITB 23-03-210521 ARRC Seward Engine House IMP Roof Replacement
- Bethel Justice Center Preliminary Design
- Informal Request for Proposals (IRFP) 10-014-23 Liberty Falls State Recreation Site Concessionaire
- RFI CDR Software Maintenance and Upgrades

Feature Spotlight

Advanced Search
Multiple search fields are available to help narrow down what you're looking for. Search by department, category, location, and more.

myAlaska Login
With your myAlaska login, you can save your searches, create favorites, and more!
> Login with myAlaska

Comments
State agencies now have the ability to accept comments online.

Water Use Fees from 11 AAC 05.260(b)

(abbreviated)



Regulatory service	Fixed fee for permit or other filing	Fixed fee for extension	Fixed fee for transfer and change
(2) Appropriation of water for Oil & Gas	\$1,500	\$450	\$900
(3) Appropriation of water related to locatable Mining	\$1,500	\$450	\$900
(7) Appropriation of water > 5,000 gpd and < 30,000 gpd	\$595	\$250	\$440
(8) Appropriation of water > 30,000 gpd and < 100,000 gpd	\$690	\$250	\$500

AS 38 Public Notice Requirements



- In 2012, the passage of HB 361 modernized public notice requirements in AS 38.05.945, the statute that provides general notice provisions in the Alaska Land Act.
- AS 38.05.945 now requires notice on the Alaska Online Public Notice System and one of the following:
 - Newspapers
 - Public service announcements
 - Posting in conspicuous location
 - Notification of known or likely affected parties
 - Publication of a legal notice
 - Another method calculated to reach affected persons

Conclusion



- DNR supports SB 68
 - Notification to affected parties in addition to the Online Public Notice System.
 - It aligns with other notice requirements under Title 38.
 - It will save Alaskans unnecessary advertising costs that can exceed the cost of a water right.
 - A process efficiency will be realized as DNR staff will be relieved of the responsibility to coordinate duplicative notifications.
 - The reduction in staff efforts will enable them to work on processing additional applications.
 - Statutory requirement to contact potentially affected appropriators of record by certified mail still applies.

Thank you!



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