

# Alaska State Legislature

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## SENATE BILL 72

### *National Resources Water Nomination/Designation*

#### SPONSOR STATEMENT

Senate Bill 72 proposes to establish a formal process for designating waterbodies as Outstanding National Resource Waters (ONRW) in the state of Alaska. ONRWs, or commonly known as Tier III, is a type of water body designation that provides additional protections under the federal Clean Water Act.

Under the Clean Water Act, ONRWs are defined as "waters of the United States which are of exceptional recreational or ecological significance." The designation is intended to protect these water bodies from pollution, degradation, or other threats that could harm their ecological or recreational values.

When a water body is designated as an ONRW, additional restrictions may be placed on activities that could potentially harm the water body. For example, new sources of pollution may be prohibited, or certain activities that could harm water quality or ecological values may be restricted. Designating a water body as an ONRW can help raise public awareness about the importance of protecting our water resources and the need for sustainable water management practices. This can help promote public engagement in protecting and preserving our water resources.

Right now, Alaska places the authority to designate a ONRW solely in the hands of one person, the commissioner of the Department of Environmental Conservation. However, the Alaska Constitution, Article 8, Section 2 General Authority, states that "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."

SB 72 codifies that the legislature has the authority to designate a water body as an Outstanding National Resources Water. With such designation, such bodies of waters will be subject to ongoing monitoring and protection efforts to ensure that it remains a high-quality resource for Alaska's future generations.