



SB 72: NATIONAL RESOURCE WATER NOMINATION/DESIGNATION

SPONSORED BY SENATOR CATHY GIESSEL

SB 72

GIVES LEGISLATURE THE AUTHORITY TO
DESIGNATE A WATER BODY AS TIER III.

TIER III IS ALSO KNOWN AS
OUTSTANDING NATIONAL RESOURCE
WATERS (ONWR)




CLEAN WATER ACT



WATER QUALITY TIERS





"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."

40 CODE OF FEDERAL REGULATIONS 131.12(A)(3)



DEPARTMENT OF ENVIRONMENTAL CONSERVATION POLICY

Nominating

- Nominations are sent to their Legislators
- Proposing an introduction of legislation
- Usually through legislator whose district contains the proposed Tier 3 water

Committee Process


- Goes through the thorough legislative bill process

Written into law

- Bill passes
- Waterbody is designated as Tier III

FIVE POTENTIAL TIER III WATERS

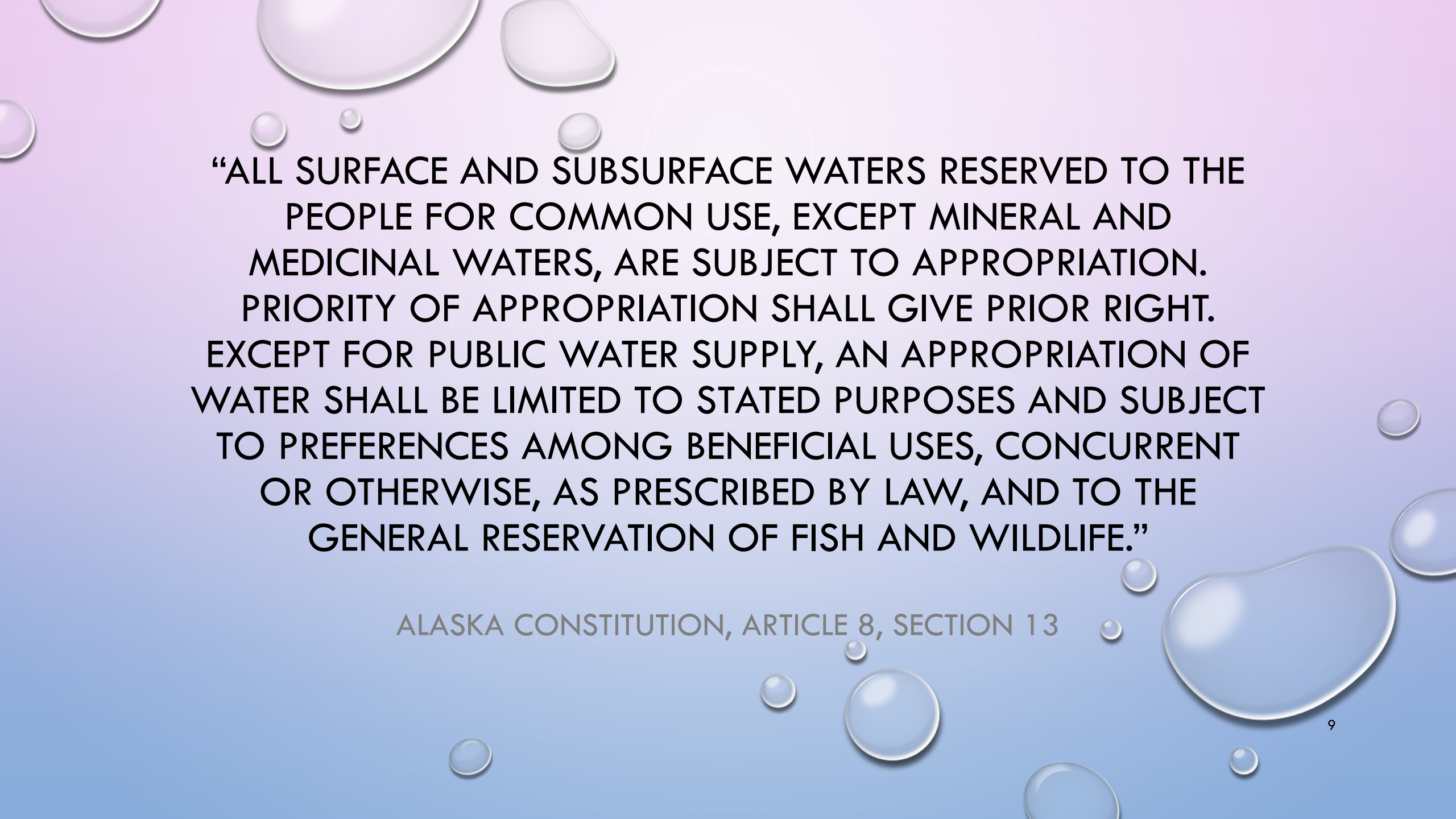




**“THE LEGISLATURE SHALL PROVIDE FOR THE
UTILIZATION, DEVELOPMENT, AND CONSERVATION
OF ALL-NATURAL RESOURCES BELONGING TO THE
STATE, INCLUDING LAND AND WATERS, FOR THE
MAXIMUM BENEFIT OF ITS PEOPLE.”**

ALASKA CONSTITUTION, ARTICLE 8, SECTION 2





“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.”

ALASKA CONSTITUTION, ARTICLE 8, SECTION 13

SUMMARY

CODIFIES ALASKA DEPARTMENT OF ENVIRONMENTAL
CONSERVATION'S CURRENT TIER III POLICY.

COULD EXPEDITE THE CURRENTLY NOMINATED WATERBODIES.



QUESTIONS?

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