

# STATE OF ALASKA

JAY S. HAMMOND, Governor

## WATER RESOURCES BOARD

### MEETING SUMMARY

#### ALASKA WATER RESOURCES BOARD MEETING

July 13 - 14, 1978

The Alaska Water Resources Board met in Anchorage July 13 - 14, 1978, in Pioneer School House at Third and Eagle Streets. The Board members were in complete attendance for the two days with the exception of David Vanderbrink, who was forced to miss the meeting because of his personal business commitments. The members of the Board were:

Dr. Charles Behlke, Fairbanks  
Charles Johnson, Nome  
Le Vake Renshaw, Anchorage  
Ernst Mueller, (ex-officio) Commissioner of DEC  
Peg Tileston, Anchorage  
Richard Sims, (Chairman) Kodiak  
Wayne Westburg, Anchorage  
David Vanderbrink, Homer  
Robert LeResche, (Executive Secretary) Commissioner of DNR

Commissioner Robert LeResche was represented by  
Theodore G. Smith and Brent Petrie.

#### July 13

The meeting was opened by Chairman Richard Sims. Chairman Sims noted that the Board had been rejuvenated, and this meeting would be important to determine if the Board could carry through. He stated that the Board's comments would be considered in the final revision of the water quality standards. He presented a letter received from the Governor's office in response to Board Resolution No. 78-4, which had requested a budget appropriation to cover the expenses for four Board meetings. The Governor's office responded that special funds could not be included funds in the FY 79 budget request at this late date. It was suggested that the Department of Natural Resources will try to assist within the constraints of its operating budget. Later follow-up suggested obtaining funds from DNR or DEC or both. Chairman Sims also said that he had received a copy of the Directory of Permits from DEC and it is available to all Board members. He also praised the written summary of the previous Board meeting as a most professional job.

Peg Tileston - Moved that the minutes from the last meeting be accepted.

Second - LeVake Renshaw.

No discussion.

Motion passed unanimously.

A discussion followed this motion on the general purposes and funding of the Board. Comments made by each speaker are listed along with selected questions.

- C Brent Petrie: In regards to the budget, a request for \$10,000 in the preliminary FY 80 DNR budget has been made for the Water Board.
- C Ted Smith: Assured the Board that DNR will find enough money for them.
- Q Wayne Westberg: To Ted Smith - Is the Board making effective accomplishments? Is the Governor sensitive to their recommendations?
- A Ted Smith: Policy starts at the working level and is approved up the line, not the other way around. The Board is involved at the working level in providing a valuable sounding board. They can have great influence at the policy formulation stage.
- C Ernst Mueller: It is important that this Board take the initiative to look into water resources issues and make recommendations at the appropriate executive level.

The next agenda item was a progress report on the well log collection program.

#### Bill Long - Division of Geology & Geophysical Surveys

##### Major Points:

- \* The various computer data storage systems have been examined, and the decision is to use the WATSTORE program of the USGS.
- \* Present cooperative funds and arrangements will be used to update and keep current well log information.
- \* This will only be a file system, based on the township and range survey system.
- \* A form is being mailed to drillers for this program.
- \* Coordination with DEC and their records of public water supply well logs is occurring.

##### Questions and comments:

- Q Chairman Sims: Expressed concern about the compatibility of present records with WATSTORE.
- A Bill Long: The computer only files the information, it does not actually store it.

- Q Chairman Sims: What about duplication of efforts between state and federal agencies?
- A Bill Long: Very good communications exist with other federal agencies, especially the USGS.
- Q LeVake Renshaw: Will other types of wells be incorporated in this program?
- A Bill Long: Not at this time.
- C Charles Behlke: Well logs will eventually be used against drillers. When drawdown becomes too great, these logs will help alert authorities to over-drilling.
- C Wayne Westberg: This program will help assure wise use and regulation by all concerned parties.

The next agenda item was a progress report on the water rights backlog reduction program.

Ted Smith - Alaska Department of Natural Resources

Major Points:

- \* Wished to give a brief overview of newly passed state legislation.
- \* Forest fire protection
- \* Backlog reduction program for both land and water cases, 14 months, \$1.2 million. 6,000 total backlogged cases. Presently 3000 backlogged water rights applications received per year, and a 400-500 backlog increase each year over current ability to process water rights.
- \* Next bills were for long term timber sale leases; lottery for land disposal; forest practices act - for harvest of forest products, nonpoint source pollution control - \$300,000; elimination of mental health trust lands, school lands, university lands - this will tend to increase the involvement of the water section; appropriation both for the Delta Barley Project - continuation of the environmental baseline study, including two test wells -\$5 million; municipal selection act; land disposal policy act -provides for a resource inventory program also - \$5½ million.
- \* Overall DNR budget went from \$7 million to \$17 million, although the water section did not share in the increase, suffering more from cuts than other sections.
- \* Proposals for FY 80 include a multi-year computer system for resources information, a stepped-up resource inventory program, and increase in the permanent ability to process permits.

Questions and comments:

- Q Wayne Westberg: Is there a breakdown available on the types of applications, i.e., residential, commercial, industrial?
- A Ted Smith: Doesn't know whether this information is maintained.
- A Brent Petrie: Part of the backlog program is to identify type of use during adjudication of the application.
- Q Wayne Westberg: What is the availability of information on water rights?
- A Brent Petrie: The records are public information.
- A Ted Smith: Information is available on status plats at the district offices.

Before continuing with the next agenda item, Chairman Sims called for consideration of Board funding requests at the spring Board meeting, in time for upcoming budget consideration.

The next agenda item was a report on the Alaska dam inventory and inspection program.

Paul Pinard - U.S. Army Corp of Engineers, representing Mason Wade who was unable to attend.

Major points:

- \* Dam safety legislation and subsequent funding were as a result of dam disasters in South Dakota, West Virginia and Georgia.
- \* The Act calls for the inventory of all dams located in the U.S., a review of each dam inspection conducted, and implementation of recommendations based on these reviews. It requires recommendations for a nationwide comprehensive dam safety program.
- \* The current program is designed to take 4 years, and cost \$70 million.
- \* The federal program will be limited to the initial inspections only. Governor Hammond has recently signed an agreement designating the Department of Transportation and Public Facilities, Bridge Design Section as the responsible agency to institute a dam safety program. DNR has also provided information from their files.
- \* The federal government will begin work immediately with the states to formulate dam safety programs and update the national dam inventory. They will fund and conduct the inspection of dams in the high hazard category (by virtue of the location), intermediate category dams on federal property, and a limited number of other non-federal dams on a case-by-case basis (those representing an immediate threat to public safety).

- \* Reports are complete for 5 structures at Kodiak, 9 additional structures have been field inspected, and 8 more are scheduled for visits through August.
- \* Continued funding for the program after this fiscal year is dependent upon an affirmative showing by the State that a comprehensive and effective program for the inspection of dam construction and operation in the public interest will be adopted.

Questions and comments:

- Q Chairman Sims: Authority for dam safety is with DNR, but inspection will be done by DOT&PF?
- A Brent Petrie: This is one area the Board could really help clarify. From 1975-77, DNR issued permits for 76 dams. The new budget will request an engineer position for dam safety work. We are asking for the ability to review construction and operation, as per statutes and regulations.
- Q LeVake Renshaw: Has coordination been discussed with DOT?
- A Brent Petrie: Yes, on the staff level. The conclusion of the DOT staff is that DNR should be handling the process. DOT does not have any dam construction engineers on staff to handle this program, nor do they maintain records on present structures.
- Q Chairman Sims: Are there any private engineering firms around?
- A Brent Petrie: Yes. And there are pass-through funds available to participating state agencies that could go to private consultants for this work.
- Q A discussion of who assumes liability in the case of dam failure ensues.
- A Brent Petrie: Statutes indicate that the State maybe liable, since it appears DNR has approval and corrective authority under existing statutes.
- Q Chairman Sims: What are the inspection completion dates?
- A Paul Pinard: By the end of this fiscal year, all high and intermediate risk dams.
- Q Chairman Sims: What's the penalty if the State doesn't take over the program in 3 years?
- A Paul Pinard: Funding ceases.
- C Ernst Mueller: The State is hesitant to assume inspection programs previously handled by the feds, especially those related to public safety.

- C Brent Petrie: DNR presently requires a signed waiver of liability from the person constructing a dam.

Mr. Pinard also offered a brief reveiw of the completed flood insurance study of the Kenai Borough covering areas deemed by the Borough as subject to development in the next five years. Once this is officially published as a flood insurance rate map, there will be a requirement to pass land use regulations to protect flood hazard areas. Otherwise, eligibility will be denied for federally subsidized flood insurance. If insurance is not available, financing through private lending institutions cannot be obtained if they are in any way regulated by the federal government.

#### LUNCH

The next agenda item was a report on the Alaska Water Quality Standards.

#### Jon Scribner - Department of Environmental Conservation

##### Major points:

- \* Public hearings in eleven communities have been held on the proposed standards. Comments received are being reviewed, and a response paper prepared for distribution within a month.
- \* Water quality standards are used for three different things
  1. To issue discharge permits. These must conform to national standards, not current water quality, unless the discharge degrades a stream below stream quality standards. In Alaska, effluent limitations will apply in nearly all cases.
  2. To develop best management practices for non-point sources of pollution.
  3. For enforcement actions.
- \* Mixing zones are allowed, within which standards may be exceeded.
- \* Two areas of the proposed standards definitely need more work.
  1. Forest products industry. The new forest practices act requires further coordination.
  2. Placer mining group. There is a lack of real substantive comments from them and we were hoping to get more feedback.

##### Questions and comments:

- Q Chairman Sims: Are all waters of the state in class A, drinking water standards?
- A Jon Scribner: Yes, except for the Chena River and Ship Creek, all waters are classified so that all uses are to be protected. No wastes can be input which would preclude any use. The standards for drinking water from sources and from out of the tap are different.

- Q Chairman Sims: Why are all streams classified at the highest standard, rather than for their actual present use?
- A Jon Scribner: Because of the lack of information to say otherwise. Classifications can be changed later upon increased knowledge of actual use.
- Q Chairman Sims: The burden of proof is on the person who wants to use water for other than drinking use to get the standards changed to allow such use?
- A Ernst Mueller: The law requires a public hearing before any classification can be changed. It is hard to work the other way around. Once polluted, rebuilding of treatment plants would be required to meet higher effluent standards.
- Q Chairman Sims: What if existing law permits use of a stream which degrades it below the proposed new standards? Would users become instantly illegal?
- A Ernst Mueller: This is not a new regulation. Streams have been classified as drinking water sources since 1967. If you had a permit before, it would still be valid and permitted.
- C Jon Scribner: The standards proposed for adoption are the most stringent from each of the categories.
- Q LeVake Renshaw: Why can't existing uses, as determined by review of existing permits, be acknowledged as the current uses of the streams and appropriate standards to that use be set today?
- A Ernst Mueller: No one is in violation now. There is no need to reclassify.
- C Ernst Mueller: New users will be required to meet the standards set for a stream. If a stream is already partially polluted, the new user must do whatever is necessary to keep from pushing the stream quality over the brink.
- Q LeVake Renshaw: Human costs should be figured in as a factor in setting standards for specific cases. Refinement of the regulations based on additional technical evidence should be made possible.
- A Jon Scribner: The law requires review of regulations every 3 years.
- Q LeVake Renshaw: Some allowance should be made for those who are trying their best possible, but still violate standards.
- A Ernst Mueller: There isn't a clear cut answer. Our rule is to see that the operator is in compliance with the terms and conditions of the permit. If the standards are still violated, we would generally not take any action, with a few exceptions (such as direct threat to public safety).

- Q LeVake Renshaw: Shouldn't provision be made for temporary permits, for such activities as construction, to temporarily violate the standards?
- A Jon Scribner: It could be included in the permit stipulations.
- Q John Jacobson (from audience): What is the status of the 208 report on placer mining, and will information from that report be considered in setting standards?
- A Jon Scribner: 208 reports are not the basis upon which standards are written. They are used to determine best management practices needed to meet those standards.
- Q LeVake Renshaw: Are you sure those standards can be met?
- A Jon Scribner: It's difficult to relate best management practices to water quality standards. Reevaluation of both may very well be necessary.

After a brief break, a special report on the status of the Metropolitan Anchorage Urban Study (MAUS) and the Kenai River Review were given.

Bill Lloyd - U.S. Corps of Engineers, working on the MAUS

The study is due to be completed in September, 1978. The 201 study is also in progress, to be completed in 1979.

Dave McGillivray - U.S. Corps of Engineers, Environmental Section, working with the Kenai River Review

Major points:

- \* The Kenai River Review was to provide guidance and criteria for Corp permit authority for construction activity located in wetland areas.
- \* Wetlands mapped in the Kenai area have turned out to be quite extensive.
- \* Onsite inspection with private property owners was undertaken to verify Soil Conservation Service interpretative maps used for wetlands delineation. The maps were found to be very accurate.

Questions and comments:

- Q LeVake Renshaw: What is the smallest unit defined as wetlands?
- A Dave McGillivray: Practically, the maps only delineate to about 1 acre accuracy. Very small amounts could be defined if desired through on-site investigations.
- Q LeVake Renshaw: Will this program eventually extend to mapping wetlands throughout the State?
- A Dave McGillivray: We have no plans for that.



- Q Peg Tileston: Is there provision for temporary small projects, and supervising them?
- A Ernst Mueller: Many such projects are exempt from getting a Corp permit.
- C Peg Tileston: I am concerned that it is mostly up to the private citizen to blow the whistle on nonpermitted activities, especially minor projects. Management procedures put out by the Corp are ineffective until after the damage has been done.

The next agenda item was a report on the revision of Water Use Regulations.

Brent Petrie - Department of Natural Resources, Water Management Section

Major points:

- \* Present statute says anyone diverting a significant amount of water for use without a permit is guilty of a misdemeanor, but unfortunately "significant" was not readily defined.
- \* Provisions of the revised regulations include:
  1. Formalizes some things currently done by standard procedures anyway.
  2. Increased information requirements concerning dam construction and watercourse alternations.
  3. Appeals process has been streamlined.
  4. The definition of grandfather rights is made more explicit and timeframes for filing will be printed.
  5. A streamlined mechanism for authorization of temporary water uses for drilling, construction and dewatering has been added.
  6. The definition of significant use is spelled out. Those withdrawals under that amount would not require a permit.

Questions and comments:

- Q Peg Tileston: Are these refinements of the study done by Trelease?
- A Brent Petrie: These are follow-ups on some of the recommendations he made. The old regulations are 12 years old. Reorganization of DNR and resulting new procedures are not reflected in the old water use regulations.
- C Wayne Westberg: In some areas, the determination of what is significant use may be higher or lower, depending on water availability.
- Q LeVake Renshaw: Many defacto grandfather rights exist today. The regulations are in error if they do not recognize these prior rights.
- A Brent Petrie: That opportunity was given when the law was first passed.

- Q Chairman Sims: How about an affidavit that says I am a prior appropriator?
- A Brent Petrie: According to law you cannot be a prior appropriator unless you have that date stamped on the application filed with DNR.
- Q LeVake Renshaw: If the majority of the public in a certain category, such as residential, have not filed for their appropriation permit, then the word has not sufficiently gotten out to them.
- A Bob Bursiel, DNR: We've considered this situation for 5 or 6 years, but we never had the budget to stay even.
- Q Chairman Sims: Perhaps a stepped program to get word out through the various media is needed.
- A Brent Petrie: We are trying to do some things, such as printing an information sheet for general distribution.

LeVake Renshaw - moved the Board encourage the use of various media to inform the general public to the need for obtaining water use permits.

Second -

No discussion.

Motion passed unanimously.

Discussion: Bob Bursiel stated there is not budget available to handle the potential number of people who would file. Ernst Mueller noted that by not informing the general public, large users, who would normally be aware of the need for a permit, will get priority treatment.

Discussion followed of the process by which official notification of application for an appropriation permit is made, and the process by which objections are made to appropriation applications.

The Board adjourned at approximately 5:30 p.m.

#### July 14

Chairman Richard Sims called the meeting to order at 8:30 a.m. The first agenda item was review of water related permit programs.

#### Woody Angst, Department of Environmental Conservation

Major points:

- \* The current responsibility of DEC in water related matters falls in two areas.

1. Wastewater discharge permit. The permit process takes approximately 60 days and follows this approximate line: application submitted -- goes to central office -- copies go out for interagency review and review by interested parties -- notification is published in the newspaper -- a 30 day comment period ensues -- a preliminary decision is made -- notice is sent to the applicant. In conjunction with this process, a weekly status report of permits under review from all sections of DEC is published. All other permits follow this basic procedure.
2. State certification under section 404 of the Federal Water Pollution Control Act. Any projects affecting water must comply with the standards of this Act. After certification by DEC, the application to appropriate Federal agencies for their approval. This process takes approximately 60 days.

- \* DEC and the Department of Commerce and Economic Development has published a Directory of Permits. State and federal agencies can use it to assist developers in learning the basic requirements for construction and operation. This directory will be updated annually. This could be a preliminary step to computerization of permit processes. Such a system could be used to produce a combined permit application covering all the information needed for all necessary permits. Each agency could then obtain the pertinent information needed to complete their respective permit process.
- \* Alaska statutes now call for development of a one-stop permit process. It is estimated that complete processing through all agencies would average 5-8 months.

A discussion followed this presentation on some particulars related to the Directory of Permits, interagency coordination of permit applications, and getting a process instituted.

Theodore G. Smith, Department of Natural Resources

Major point:

- \* One of the principal things I want to see come out of this is to streamline our process as much as possible and where appropriate amend the statutes so that the one-stop process can in fact substitute for some of the repeated public hearing and review processes that we are presently required by statute to hold.

Brent Petrie, Department of Natural Resources

Major points:

- \* The water rights process follows this approximate line: receive application at nearest district office or mail completed application to appropriate district office -- application goes to accounting department for a receipt -- then goes to the records section for site location -- to district office for adjudication (field checks, right of ways, ownership, quantity requested, type of use, effects on prior appropriators) -- a legal ad is prepared and run in local newspaper -- if no objections are made, permit is issued -- or, if objections are made, they are handled either by letter, hearings, or court case. The appeals process is presently rather cumbersome.
- \* A brief review of the grandfather rights process was also given.
- \* A permit is only for construction; a certificate is issued for actual use. One application covers both items.

Questions and comments:

- Q Wayne Westberg: Has coordination with the Municipality of Anchorage well permit program been established?
- A Brent Petrie: We will be making contact with them, we have not yet done so.
- Q Wayne Westberg: Have any of the agencies involved in home loans come to you to check on water rights?
- A Brent Petrie: We have had title insurance companies check with us from time to time.
- C Wayne Westberg: Occasionally loans are denied when a well does not produce to a given capacity. Many well logs are falsified to get around this often unrealistic restriction.
- Q LeVake Renshaw: When an application is processed, who is notified directly?
- A Brent Petrie: When an application would require use of land not owned by the permittee, the other land owners are notified or proof of right of ways required.
- C LeVake Renshaw: Those with mining claims in the area should also be notified.

Tom Trent - Department of Fish and Game

Major points:

- \* We have two different processes that the regional offices go through.
  1. The Title 16 approval process is in-house only - no provisions for public review are made. This takes about two weeks.

## 2. Comment to other agencies.

- \* In 1977, DF & G received 1254 state and federal permit project review actions. 463 of these were Title 16 actions.
- \* Slides were shown illustrating the Title 16 permit process and authority.
- \* The appeal process is not spelled out in the regulations. Very few appeals are received, and in the southcentral region virtually all are resolved locally.

LeVake Renshaw stated that north of the Alaska Range, operators have been told there is no appeal.

Discussion followed concerning temporary permits issued by DF&G. Some appeared to grant appropriation rights, which is considered a responsibility of DNR. Chairman Sims reinforced the point that the various permit processes are confusing to the average applicant. LeVake Renshaw stated that DF&G is very single-minded, not informing users of the other permits which may be required by other agencies. Peg Tileston suggested central locations where an applicant could find out from one source which permits are needed.

The discussion moved to the various methods of centralizing the permit processes. Chairman Sims pointed up the difficulty the general public would have in using the Directory of Permits. Ernst Mueller noted that it was not intended for general public use directly, but rather for use by staff dealing with permit processes and the public.

LeVake Renshaw stated that objection processes and comment periods are often used by special interests to delay projects and buy time.

Following a short break in the action, Charles Johnson stated that earlier comments on the use of permit processes for the convenience of the bureaucracy rather than the applicants were very valid. He felt that direct comments on such things as regulations and standards is important, and that a bigger goal for the Board lies in their recommendations on the use and protection of the water to affect policy. Mr. Johnson had to leave at this point (11:50 a.m.) to catch a plane back to Nome.

The next topic considered by the Board was a return to consideration of the draft water quality standards. LeVake Renshaw led discussion with Jon Scribner of the Department of Environmental Conservation on various details of the standards, as follows:

- \* Suggestion was made that placer mining be considered as a separate item in the standards.

- \* Question was raised as to why the dissolved oxygen standard is listed as a specific limit rather than a percent saturation. Also noted was that the ranges listed are obtainable.
- \* A big problem was felt to exist with turbidity standards. Objection was raised to the apparently arbitrary imposition of specific units which are beyond the capability of a man in the field to measure. It was suggested that a simple field kit be made available for on-site user measurement to check compliance with permit requirements. Otherwise, the user may have no idea in advance that he is in violation.
- \* The method of setting standards for turbidity and its relation to protection of fish was discussed.
- \* It was felt that detection test methods commonly used do not consider the composition of the compound of arsenic and/or mercury present. Compounds may not be toxic at the same levels as the element alone. Jon Scribner stated that the tests to be used will be sensitive to this problem.
- \* Where a stream and ground water are at the same level, the influence of oxygen-deficient groundwater outflow is not considered.
- \* It was noted that the definition of a mixing zone seems to put the burden of proof of nonviolation on the permittee, rather than on the enforcement agency.
- \* It was felt there should be some provision to account for seasonal and natural changes in stream flow.

Some additional explanation of parts of the proposed standards took place. LeVake Renshaw praised Jon Scribner and his staff for doing an excellent job on rewriting the proposed standards and listening to outside input and suggestions.

The next agenda item was a discussion of permit coordination and review mechanisms with agency representatives.

Brent Petrie stated that DNR has had problems in terms of interagency coordination in the past. Some of these have been in regard to stipulations of other agencies, in particular some of those which DF&G would like attached to DNR water use permits. Whereas flow stipulations are within DNR's authority, conditions on fuel storage are not. In some cases ADF&G has provided DNR with information and recommended stipulations, but DNR has issued the permit without all the stipulations they recommended and not let DF&G know about it. This is not conducive to good relations with the public nor between agencies.

Mr. Petrie went on to outline some steps aimed at alleviating these problems. For placer miners, an attempt is made to give them all the various State application forms they need in one packet at one time. An optional master permit process is proposed, which would help those with complex water use conditions. A short application form for minor water uses is also proposed.

Questions and comments:

- C Chairman Sims: Suggested that the application form be simplified by providing check boxes which would indicate the permits required of the applicant.
- C LeVake Renshaw: The responsibility of any one agency doesn't go beyond making an applicant aware of the other permits involved.
- Q Dr. Charles Behlke: Why couldn't central water offices be set up, where all permits relating to water would be handled in one spot?
- A LeVake Renshaw: Maybe a hotline approach would be better, given the widely spaced locations of state offices.
- C Chairman Sims: Perhaps as a first step, all possible water uses could be listed, and each agency could also list which they are concerned with and in what way.

LUNCH

The meeting was reconvened in the DNR conference room.

Brent Petrie updated the Board members on the status of the Paug-Vik vs. Martin water rights court case. Chairman Sims then returned the discussion to the proposed water use regulations. LeVake Renshaw suggested that the Board consider the regulations in detail after interagency and public hearing review. It would be desirable to just cover the high points at this meeting, he stated.

Brent Petrie informed Board members that the public review draft will not be ready until the end of August. Public hearings will follow in the next two months. A discussion of how often and what kind of notification should be given of water rights applications followed. Suggestions included more than one notification and combining with other state agency notifications in the same location in newspapers.

Chairman Sims questioned the use of the term "beneficial" in one part of the text, in that detrimental uses had been previously defined, thereby making all other uses automatically beneficial. After discussion of definitions, this suggestion was to be followed up in the revision work.

Technical mark-up of the proposed revised water use regulations occupied the remainder of the discussion.

LeVake Renshaw suggested that a meeting in Kenai be oriented towards estuary and shoreline concerns. Chairman Sims suggested that the next meeting be held on November 9 and 10 in Soldotna. Other Board members present concurred.

Consideration of resolutions on permit coordination and water rights advertising was the final topic considered by the Board.

The Board adjourned at 5:00 p.m.



# STATE OF ALASKA

JAY S. HAMMOND, Governor

## WATER RESOURCES BOARD

### RESOLUTION 78-5

WHEREAS, various state agencies have permit requirements for water appropriation and uses; and

WHEREAS, many of those authorities are necessarily overlapping; and

WHEREAS, we find that there is a great deal of duplication effort on the part of the applicants; and

WHEREAS, we find that applicants have difficulty in obtaining all the necessary information regarding permit requirements; and

WHEREAS, this lack of coordination of permit requirements invites inadvertent violations of the existing Alaska statutes and agency regulations by the public; and

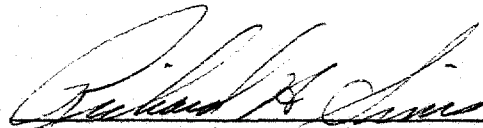
WHEREAS, the average citizen is largely unaware of the individual agency requirements for permits; and

WHEREAS, we feel it is in the best interests of the State of Alaska and individual Alaskans to alleviate these problems;

NOW, THEREFORE, BE IT RESOLVED, that the Alaska Water Resources Board recommends the institution of a clearinghouse for permits, and alerting the public to the various permit requirements.

ADOPTED THIS 14th day of July, 1978.

ALASKA WATER RESOURCES BOARD



Richard H. Sims, Chairman

# STATE OF ALASKA

JAY S. HAMMOND, Governor

## WATER RESOURCES BOARD

### RESOLUTION 78-6

WHEREAS, the State of Alaska utilizes prior appropriation doctrine of water law as provided by State Constitution and the Water Use Act; and

WHEREAS, the Alaska Department of Natural Resources administers the Alaska Water Use Act; and

WHEREAS, the Alaska Water Resources Board finds that a large number of water users are apparently unaware of the desirability or procedures for filing for water rights with the Department; and

WHEREAS, the Board finds that many water users would apply for adjudication of water rights were they aware of the law, procedures, and benefits to their property interests; and

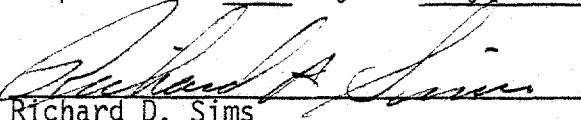
NOW, THEREFORE BE IT RESOLVED, that the Alaska Water Resources Board strongly recommends that the Department of Natural Resources develop and implement an informational program advising water users of the procedures and opportunities for establishment of water rights; and

BE IT FURTHER RESOLVED, that the Board realizes that such a program will increase the backlog of water rights cases handled by the Department; yet

BE IT FURTHER RESOLVED, that the Board recognizes that establishment of water rights help protect the interest of the individual water user and prior appropriators, as well as provide necessary information for assessing present uses and providing for proper management of this important resource; and

BE IT FURTHER RESOLVED, that the Board submit its attached informational notice for use by the Department in ads, posters, or other printed media.

Adopted this 14th day of July, 1978

  
Richard D. Sims  
Chairman

WATER WELL OWNERS

and other users of Alaska waters

Do you have a Permit or Certificate of Water Appropriation or have you applied for Water Rights?

If not, you will want to apply because the use of water without applying for water rights does not vest the user with any rights to water, no matter how long that use has been in existence.

APPLY NOW:

1. You will establish your right to use water ahead of persons who later file for water rights from the same source, and
2. You will aid the Department of Natural Resources in assessing present uses, protect prior appropriators and provide proper management of our water resource

Further information may be obtained from the nearest office of the:

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF FOREST, LAND & WATER MANAGEMENT

Southcentral District Office  
3327 Fairbanks Street  
Anchorage, Alaska 99504

Southeastern District Office  
Pouch M  
Juneau, Alaska 99811

Northcentral District Office  
4420 Airport Way  
Fairbanks, Alaska 99701

A public information notice brought to you by the Alaska State Water Resources Board and the Department of Natural Resources.

WATER WELL OWNERS  
and other users of Alaska waters

HAVE YOU APPLIED FOR WATER RIGHTS?

If not, you will want to apply because water rights protect your interest in the water that you are using. In Alaska, there are no inherent rights to water by virtue of ownership of land where water is taken from or used or how long that use has been in existence.

WHY SHOULD I APPLY FOR WATER RIGHTS?

A person with established water rights has legal standing to assert his rights against conflicting uses of water by persons not having water rights. Also, a person with established water rights has priority to use water over persons who later file for water rights from the same source.

HOW DO I OBTAIN WATER RIGHTS?

You can get an application for water rights from your local Borough Office or the Southcentral District Office of the Division of Land and Water Management, 3327 Fairbanks Street in Anchorage, or call 279-7691 for more information.

A PUBLIC SERVICE ANNOUNCEMENT--30 SECONDS

Do you have your own well or use water from a creek or stream? If so, you should know about your water rights. Water rights protect your interest in the water you are using. Filing now could save you problems in the future. You can get an application for water rights from your local Borough Office or the Southcentral District Office of the Alaska Division of Land and Water Management. Write to: 3327 Fairbanks Street in Anchorage or call 279-7691 for more information.

This message is brought to you by the Alaska Water Resources Board, the Alaska Department of Natural Resources, and this station.