

WATER

A. GOALS

1. Provide for the use of water for the maximum benefit to people through the established statutes and regulations related to water management.
2. Initiate the research necessary for, and then establish instream flow reservations for fish and wildlife populations and related recreational activities.
3. Permit resource development use of waters through established statutes and regulations.
4. Assure water quality is maintained.

B. MANAGEMENT STRATEGY

People, fish and wildlife and resource development activities all require the use of water. The state has established laws for the protection of water quality, which the Department of Environmental Conservation is responsible for enforcing. The state has also established a system for reserving instream flow. The Department of Natural Resources administers the system. The state does not have a system established for reserving surface or ground water (other than instream flow), but rather a law which allows for the first user in time to have the first right to use.

The following water resource policies are included to inform the reader of policies already in existence, and additional policy which has been developed for management of the Moose Range.

C. GUIDELINES

1. WATER RIGHTS

- a. Priority of Use. Except for public water supply and domestic use, the enhancement, protection and maintenance of fish and wildlife habitat is generally the highest priority water use in the study area. Therefore, the DNR should not allow an appropriation of water to cause the instream flow or lake levels to fall below the amount determined necessary by ADF&G to protect or maintain fish and wildlife habitat, unless, under the procedures outlined in AS 46.15.080, the commissioner of DNR makes a finding based on public review that the competing use for water is in the best public interest and no feasible and prudent alternative exists.

- b. Criteria To Be Met. The appropriation of water shall be allowed to fulfill the purposes of a grazing lease, forest practice, mining operation or other activities as long as the appropriation of water does not adversely affect the ability of prior water right holders to obtain their water, meets the criteria for issuance of a permit in accordance with AS 46.15.080, meets the water quality requirements of ADEC and meets all of the requirements and guidelines in this plan established to protect fish and wildlife populations, habitat and related public uses.
- c. Application for Use. A specific reservation of water (instream flow) for any surface source within the Matanuska Valley Moose Range must be applied for under the authority of AS 46.15.145.
- d. Uses. Under DNR's statutes, reservation of instream flow is possible for four types of uses:
- (1) Protection of fish and wildlife habitat, migration and propagation; instream flow reservations to protect habitat may be made for streams that: (a) have significant anadromous or resident fish populations; (b) flow into wetlands that support significant waterfowl, fish, furbearer or other wildlife populations; or, (c) provide the water supply needed for other habitat types that support significant wildlife populations;
 - (2) Recreation and park purposes;
 - (3) Navigation and transportation purposes; and,
 - (4) Sanitary and water quality purposes.
- e. Application Steps. An applicant filing for a reservation of water should include the following steps for each stream, stream segment or other water body under consideration.
- (1) Identify the management objective.
 - (2) Estimate the quantity of water seasonally available by direct measurement (hydrograph), predictive methods (regional hydrographic models) or other appropriate methods.
 - (3) Determine the quantities of water already appropriated. This information is on record with the Division of Land and Water Management.

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(4) In consultation with appropriate agencies, use site-specific studies or other information to determine the instream flow requirements for the resources and uses to be protected. For habitat resources this will require cooperative work and consultation with the Alaska Department of Fish and Game to identify necessary conditions for rearing, staging, reproduction, spawning, incubation, overwintering and migration of valuable fish and wildlife resources.

f. Application Processing. Upon receipt of an application for water rights, the DNR shall process the application in accordance with AS 46.15. If objections to the appropriation or reservation of water are filed by any person, state or federal agency, the objector is responsible for giving adequate reasons why a permit to appropriate water or Certificate of Reservation should not be issued. Reasons for objections must be documented; the objector must describe how the proposed appropriation does not meet the requirements of AS 46.15.080.

2. RESERVATION PRIORITIES

a. Support for Studies and Reservations. In accordance with applicable statutes, regulations and procedures, and as time and funding allow, management agencies shall give support to instream flow studies and reservations that are necessary to protect and promote resource values and uses identified in this plan for streams and other waterbodies.

b. Priority for Instream Flow Studies. High priority streams and other waterbodies for instream flow study and possible reservation include Wasilla Creek, Moose Creek, Eska Creek, Granite Creek, Young Creek, Kings River, Chickaloon River, Boulder Creek, Wishbone Lake, Seventeen Mile Lake, and Drill Lake. These have been identified because of their high public values particularly for habitat and recreation and the high potential for competition for water between these uses and resource developments. If necessary, instream flow reservations applied for under AS 46.15.145 will be made on these priority rivers, creeks and lakes.

3. WATER QUALITY

Water quality shall be maintained in the streams, stream segments, or water bodies occurring in the Moose Range as required by existing law.