

# Moose Creek Critical Water Management Area (CWMA)

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What is a CWMA?

What water management regulations are used?

What is the process?

Moose Creek CWMA Overview

Proposed designations

How will a CWMA designation affect you?

How you can participate?

# Critical Water Management Area

A CWMA is a geographic or hydrologic area that may be designated by the Commissioner of DNR if:

There is or maybe a water shortage due to drought, over appropriation, salt water intrusion or chemical or toxic contamination rendering the water source unusable.

# CWMA Regulations

11 AAC 92.500 – Initiating Designation Proceedings

11 AAC 93.510 – Public Notice and Hearing

11 AAC 93.520 – Department Order

11 AAC 93.530 – Effect of the Order

11 AAC 93.540 - Appeals

# CWMA Designation Process

DNR Commissioner Received a Petition

Public Notice of Proposed Designation (4 weeks)

Public Hearing

Comment Period (30 days)

DNR Reviews Designation in Context of Public Interest

If DNR Determines a CWMA is needed, Commissioner Issues a DO

Public Notice of Designation (4 weeks)

Appeal Period (20 days)

You  
Are  
Here

# Public Interest Criteria

- (1) The benefit to the applicant resulting from the proposal
- (2) The effect of the economic activity resulting from the proposed appropriation
- (3) The effect on fish and game resources and on public recreational opportunities
- (4) The effect on public health
- (5) The effect of loss of alternative uses of water that might be made within a reasonable time if not precluded or hindered by the proposal
- (6) Harm to other persons resulting from the proposal
- (7) The intent and ability of the applicant to complete the proposal
- (8) The effect upon access to navigable or public water

# Moose Creek CWMA

- USAF, ADEC, and EPA selected a long-term remedy to provide potable water to Moose Creek- Final Interim Record of Decision (2019)
- USAF Petitioned DNR for CWMA on November 26, 2019
- PFAS/PFOA Contamination in the groundwater and hydraulically connected surface water
- Attributed to AFFF use on Eielson AFB



# Moose Creek CWMA – DNR Response

- Suspend adjudication in the area
- Review petition
- Determine possible CWMA designation actions
- Coordinate with USAF on proposal and their planned actions
- Public outreach/solicit comments

# Moose Creek CWMA - Likely Designation

- No new applications will be accepted
- Adjudication suspension will continue for the duration of the CWMA
- All water use will be considered significant
- Enforcement action against anyone using ground or surface water without a permit or certificate
- Will include surface and groundwater

## How will this affect you?

- You will not be able to get a water right until the CWMA is revoked.
- There will no longer be a permit/authorization exemption for water use of 500 gpd or less.
- The CWMA will stay in place until contamination levels are below the Health Advisory Level or applicable regulatory standards.

# How can you participate?

## Provide Comment on the Proposal

1. Here! Orally, after the Q&A session or by using a comment form
2. Online by submitting a comment on our website:  
<http://dnr.alaska.gov/mlw/water/cwma/>
3. By email at [MooseCreekCWMA@Alaska.gov](mailto:MooseCreekCWMA@Alaska.gov)
4. Sending a letter to:

Division of Mining, Land & Water

Water Resources Section

550 West 7th Avenue, Suite 1020

Anchorage, AK 99501-3577

# Questions?

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