

# Resource Development Council for Alaska



# RESOURCE DEVELOPMENT COUNCIL

Growing Alaska Through Responsible Resource Development

March 31, 2023

Submitted electronically: <https://water.alaskadec.commentinput.com/?id=ePqUk>

Brock Tabor  
Alaska Department of Environmental Conservation  
Division of Water – Water Quality Program  
PO Box 111800  
410 Willoughby Ave, 2<sup>nd</sup> Floor  
Juneau, Alaska 99801

Dear Mr. Tabor:

The Resource Development Council for Alaska, Inc. (RDC) submits this letter to comment regarding the proper scope of analysis for the State of Alaska (State) Department of Environmental Conservation (ADEC) as it considers potential future changes to human health criteria (HHC) in state water quality standards (WQS).

RDC is an Alaskan non-profit trade association comprised of individuals and companies from Alaska's oil and gas, mining, forest products, tourism, and fisheries industries. RDC's membership includes Alaska Native Corporations, local communities, organized labor, and industry support firms. Since 1975, RDC's purpose is to encourage a strong, diversified private sector in Alaska and expand the state's economic base through the responsible development of our natural resources.

As an initial matter, RDC supports ADEC's efforts to review the current standards adopted in 1992 and determine whether those standards still meet our WQS needs. RDC has reviewed the correspondence between ADEC and the federal Environmental Protection Agency (EPA) and agrees that ADEC, rather than the EPA, is better situated to understand the unique attributes, geography, lifestyle, infrastructure, and development needs of our waters. Importantly, the EPA, through the Clean Water Act (CWA), encourages states to adopt their own HHC standards. ADEC better understands our communities, both urban and rural, organized and unorganized, on and off the road system, and including our tribal village partners. Generalized standards set to apply to Lower 48 states may not reasonably apply to the unique attributes of Alaska. As ADEC pursues its review of this process, it may make sense to consider whether a regional approach as opposed to a statewide blanket approach makes more sense given the vast size of Alaska.

Any new, more restrictive standards have the potential to impact water and wastewater utilities, stormwater runoff issues, as well as resource producers, ranging from oil and gas, mining, forest product companies, seafood processors (our largest manufacturing industry), construction and road building, as well as our tourism industry, which supports millions of visitors to Alaska each year. RDC would caution





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against the adoption of overly restrictive criteria for which compliance is not attainable. Those examples currently exist in other states and have resulted in regulatory regimes that are simply unworkable.

It is important to emphasize that RDC supports clean water quality standards to ensure protections for the public health and welfare of Alaskans, our fish habitat, and our environment. It is equally important that any new HHC limitations that may be adopted through this review effort ensure adequate protections without placing unnecessary, unreasonable, and/or overwhelming restrictions on basic infrastructure needs, such as our water and utilities, as well as development that supports our local and state economies. In other words, we encourage a commonsense approach to ensure any new standards balance the public health and safety against reasonable regulatory compliance measures that are economically and practically achievable.

Thank you for the opportunity to comment on this matter. RDC looks forward to working with ADEC as it continues through this process.

Sincerely,

Leila Kimbrell  
Executive Director

