

STATE CAPITOL  
P.O. Box 110001  
Juneau, AK 99811-0001  
907-465-3500  
fax: 907-465-3532



550 West Seventh Avenue, Suite 1700  
Anchorage, AK 99501  
907-269-7450  
fax 907-269-7461  
[www.Gov.Alaska.Gov](http://www.Gov.Alaska.Gov)  
[Governor@Alaska.Gov](mailto:Governor@Alaska.Gov)

Governor Bill Walker  
STATE OF ALASKA

January 28, 2016

The Honorable Kevin Meyer  
President of the Senate  
Alaska State Legislature  
State Capitol, Room 111  
Juneau, AK 99801-1182

Dear President Meyer:

Under the authority of Article III, Section 18 of the Alaska Constitution, I am transmitting a bill relating to the nomination of state water as "outstanding national resource water," also known as "Tier 3" water. Once a water body is designated as a Tier 3 water, the only additional pollutants from wastewater discharges that can be added to that water are temporary and limited. There is currently no Tier 3 water in Alaska.

The bill would add a new section, AS 46.03.085, authorizing the Department of Environmental Conservation (DEC) to collect nominations of state water for Tier 3 status and compile a list of nominated water for transmittal to the Legislature. The bill also would clarify that legislative action would be required to formally designate a body of water as a Tier 3 water.

The Clean Water Act requires states to implement a procedure for Tier 3 designation. DEC does have the authority to set quality and purity standards under AS 46.03.080 and has the technical expertise to analyze whether or not a water body meets the criteria for extra protection under Tier 3 status. However, currently there is no provision in the Clean Water Act for reversing a Tier 3 designation. Thus, such a designation has the potential to permanently limit development. Given the far-reaching consequences, the final authority for designation should rest with the Legislature and not with DEC.

I urge your prompt and favorable action on this measure.

Sincerely,

A handwritten signature in blue ink that reads "Bill Walker".

Bill Walker  
Governor

Enclosure