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**Conservation and Native Groups Concerned about Alaska’s Clean Water Policies
Challenge State’s Antidegradation Implementation Methods**

Alaska Department of Environmental Conservation Developed Interim Methods without Public Participation

Anchorage, Alaska—In a effort to protect clean water, eight conservation and tribal organizations filed suit in Alaska Superior Court today to challenge the Alaska Department of Environmental Conservation’s (“DEC”) issuance of Interim Antidegradation Implementation Methods (“Interim Methods”) without any public input. The Interim Methods, issued in July of 2010, govern how the DEC will analyze and make decisions regarding the protection and degradation of water quality when making permitting decisions.

Under the Interim Methods, the State can allow water quality to be degraded if DEC determines that it’s important for economic development without balancing other uses and values. “While economic development is important, protection of clean water is vitally important for our subsistence and culture,” said Patrick Norman, Chief of the Native Village of Port Graham. “Unfortunately, DEC’s Methods elevate economic considerations above subsistence needs instead of ensuring that subsistence is given equal consideration.”

“The State has a responsibility to protect the well-being of our Tribal members, including ensuring safe water for present and future needs. Our people and way of life will be directly impacted by further water degradation, and deserve the opportunity to voice our concerns,” said Lily Tuzroyluke of the Native Village of Point Hope. “We need a seat at the table to protect our subsistence from further pollution, in the best interests of our communities and environment.”

“A central purpose of allowing public participation is to ensure that the final policy is strong and that all factors were considered in the decision making process,” said Pete Dronkers of the Northern Alaska Environmental Center. “By failing to allow the public to participate in the development of the Interim Methods, the DEC excluded very important perspectives from the decision and the final product reflects that.”

“The reality is is that the DEC has dragged its feet in issuing this implementation plan for fourteen years,” said Buck Lindekugel, Grassroots Attorney for Southeast Alaska Conservation Council. “Now, instead of allowing the public to participate in the formation of this

very important plan, the DEC issued these interim methods without any public review or participation.”

The challenge was brought by Trustees for Alaska on behalf of the Alaska Center for the Environment, the Alaska Community Action on Toxics, Cook Inletkeeper, the Native Village of Point Hope, the Native Village of Port Graham, the Northern Alaska Environmental Center, Nunamta Aulukestai, and the Southeast Alaska Conservation Council.

Legal Background

Under the Clean Water Act (CWA), each state must have both an antidegradation policy and implementation procedures in place as part of its water quality standards. The antidegradation policy provides varying levels of protection for water bodies depending on the water quality of the water body and the implementation procedures outline the analysis that the agency must complete prior to allowing degradation of water quality, as well as the process for fully protecting high quality waters. Alaska developed an antidegradation policy in 1997 but has yet to issue legally adopted implementation procedures. As the State takes over the permitting process under the Clean Water Act from EPA, it is imperative that the State has all the legal requirements in place to protect water quality.

This press release and the Complaint are available on the web at: <http://www.trustees.org>.

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