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**From:** Lynn, Tricia [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D8747BA49CDE485EA4AC58DBF09C3DCD-TRICIA SLUSSER]  
**Sent:** 2/7/2018 7:07:08 PM  
**To:** [REDACTED] Ex. 6  
**Subject:** RE: Chilkat Valley News request

Kyle—

If attributing, please attribute to “an EPA spokesperson:”

EPA does not track which waters are assigned Tier 3 anti-degradation waters. While states and authorized tribes are required by federal Water Quality Standards regulations (40 CFR 131.12) to have anti-degradation requirements, states and authorized tribes have full discretion in deciding which waters are Tier 3.

**On Background** - States are not required by 40 CFR 131.12 to identify waters protected as Tier 3 via rulemaking. Therefore, the best place to obtain information regarding which waters states and authorized tribes have chosen to protect as Tier 3 would be to refer to the individual state or authorized tribe’s website.

Best,

Tricia

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**From:** Lynn, Tricia  
**Sent:** Wednesday, February 07, 2018 12:56 PM  
**To:** [REDACTED] Ex. 6  
**Subject:** RE: Chilkat Valley News request

Kyle--

Regarding your question about the number of Tier 3 waters existing in the US, we hope to be able to provide a rough estimate later today. For your question regarding active mines, we suggest you contact the U.S. Department of the Interior and then cross-check those locations with specific, state-identified and state-designated water bodies with Tier 3 anti- degradation protections.

Best,

Tricia

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Tricia Lynn  
Office of Public Affairs  
U.S. EPA  
Office: 202.564.2615

**From:** Ex. 6 **On Behalf Of** Chilkat Valley News  
**Sent:** Tuesday, February 06, 2018 3:49 PM  
**To:** Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>  
**Subject:** Chilkat Valley News request

Hello,

My name is Kyle Clayton and I am the publisher of the Chilkat Valley News in Haines, Alaska.

I am writing a story about Tier 3 designated waterways.

I'm trying to get a sense of how the Tier 3 designations affect development and industry. I'm aware a mine plan was approved by the Coronado Forest Service in Arizona where Tier 3 waters are located, although it's being challenged in court.

To your knowledge, are there active mines operating upstream of Tier 3 designated waters? Do you have an idea, roughly, of how many Tier 3 waters exist in the United States?

Thank you,

Kyle

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Chilkat Valley News  
Haines, Alaska

Ex. 6  
[www.chilkatvalleynews.com](http://www.chilkatvalleynews.com)



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