



CENTRAL COUNCIL
Tlingit and Haida Indian Tribes of Alaska
EDWARD K. THOMAS BUILDING
9097 Glacier Highway
Juneau, Alaska 99801 - 6922

February 1, 2013

State of Alaska Legislature
House Resources Committee
Juneau, AK 99801

Re: HB 80, Cruise Ship Wastewater Discharge Bill

Dear Members of the House Resources Committee:

I am writing on behalf of the Central Council of the Tlingit & Haida Indian Tribes of Alaska to request you oppose HB 80, the Cruise Ship Wastewater Discharge bill. Central Council is a federally-recognized tribe that serves 22 villages and communities and has over 28,000 tribal citizens. In Southeast Alaska, our food is our way of life and these customary and traditional resources provide our spiritual connection to our place, to our communities, and to each other. Many of our coastal communities depend on a healthy ocean for their cultural, social, and economic health and well-being.

We do not support HB 80 because 1) it will significantly reduce the protection of Alaskan marine water quality from pollution; and 2) it is not based on the best available science and it limits public involvement and participation

1. Significant reduction in the protection of Alaskan marine waters

In the last few years, the Alaska Department of Environmental Conservation (DEC) has been issuing wastewater permits with different standards for different ships. This approach allows the ships to essentially create their own standards for contaminants like dissolved copper and ammonia.

Discharging ammonia into the Inside Passage waters is akin to dumping fertilizer into the ocean during the most biologically productive season. As stated in the report by the Science Advisory Panel on Cruise Ship Wastewater, ammonia is taken up by phytoplankton as a preferred nutrient. Ammonia is also combined in receiving waters with oxygen to form the nutrients nitrite and nitrate. Cruise ships discharged 23 to 160 times over the allowable amount under water quality standards in 2008-2009 and in 2011. This excessive nitrogen input into our ocean surface waters will increase the outbreak of explosive algal blooms, which in turn leads to increased rates of paralytic shellfish poisoning (PSP). PSP effects many resources in the ecosystem, including crab, oysters, mussels, clams, and ultimately the health of humans who consume these resources. Also, increased algal blooms negatively impact herring – a keystone species in the marine food web which other species depend on.

Additionally, with warming sea temperatures, it is likely that discharging ammonia and other wastes into our waters will support the growth and propagation of invasive species. Some of these species may be introduced into the same waste stream as eggs, larval or "seed" forms.

In order to address these concerns, we would like to see that uniform standards be implemented for ships of similar size, as opposed to setting the standards separately for each individual ship. Setting the same standard for all ships will incentivizes better performance and a clear goal of meeting WQC.

2. Not based on the best available science and limits public participation

We do not support HB 80 because it repeals the Science Advisory Panel on Cruise Ship Wastewater two years prior to its legislatively mandated final report, which is due January 1, 2015. This undermines the research already conducted by the panel and eliminates further public involvement. It will preclude having the best available science and best available technology being brought to bear in solving the cruise ship industry's wastewater management challenges. The bill also limits the Alaskan voters' access to the science and technology to inform future decisions on large and small cruise ship management.

The current science is not up to par in considering the effects of cruise ships on the marine ecosystem. The Science Advisory Panel's preliminary report describes an old, simple "dilution model" based on the effects of one ship discharging wastes into a mixing zone in open ocean conditions. This approach does not reflect the reality of Inside Passage waters and the high cruise ship traffic during the summer months.

Stronger scientific data and a more sophisticated model should be developed before risking our marine waters based on an outdated and inadequate model. Rather than analyzing the effects of the discharge of one ship in open water conditions, the report should analyze the effects of discharge from twenty ships in Inside Passage conditions on a daily basis.

In addition, in Monday's House Resources Committee Hearing, Deputy Commissioner of the DEC Lynn Kent stated that there are no studies on the effects of dissolved copper in saltwater habitats. This is an inaccurate statement. Please refer to the research conducted by University of Alaska Fairbanks biologist Dr. Carol Ann Woody which describes the negative impacts of dissolved heavy metals like copper and zinc on marine life. There are also many other studies conducted that show copper has toxic effects on salmon and steelhead in saltwater.

Our tribal citizens and communities have depended on clean waters and the food sources that thrive in healthy ocean conditions since time immemorial. We continue to depend on salmon, herring, crab, oysters, and many other marine species that will be placed at risk if less stringent discharge standards are implemented.

Before proceeding with further contemplation of the yet-to-be defined "moving mixing zones" we want the DEC to be able to assure our tribal citizens that our herring, salmon, shellfish, and seaweeds will not be negatively impacted by loosened discharge standards. We also want to see DEC assure us that these relaxed discharge standards will not introduce invasive species in our region. With just a preliminary report from the panel, and a lack of including other existing science and technological innovations, it is premature for DEC to provide us with these assurances.

We urge you to consider taking the steps necessary to protect our ocean waters and coastal communities by not supporting this bill. We urge you to lead the cruise ship industry forward by setting a uniform and stringent standard in the permit requirements.

Thank you for the opportunity to comment. We hope that you will continue to safeguard the health of Southeast Alaska's customary and traditional food sources and the communities whose livelihoods and existence depend on them.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward K. Thomas", with a long horizontal flourish extending to the right.

Edward K. Thomas
President