



THE STATE
of ALASKA
GOVERNOR SEAN PARNELL

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DIVISION OF WATER
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January 25, 2013

The Honorable Cathy Giessel
Chair, Senate Resources Committee
Alaska State Capitol, Room 3
Juneau, AK 99801

Dear Senator Giessel:

Thank you for the opportunity to provide testimony to the Senate Resources Committee regarding SB 29. Committee members had several questions that required follow-up information. This letter is in response to those questions.

Senator French asked for the definition of State waters as related to state wastewater discharge requirements. All waters within three miles of Alaskan coasts, and all waters within Southeast Alaska (Alexander Archipelago) are state waters. Below are the two definitions under AS 46.03.490:

46.03.490(8) "marine waters of the state" means all waters within the boundaries of the state together with all of the waters of the Alexander Archipelago even if not within the boundaries of the state.

46.03.490(18) gives the numerical latitude and longitude limits for the waters of the Alexander Archipelago. The map in the enclosure provides a visual approximation of the boundaries. All dark blue lines inside of the red borders are more than 3 miles from shore, yet are still Alaskan waters under AS 46.03. These areas within the blue borders in the channels, passages and sounds of the Alexander Archipelago were formerly considered "donut holes" and outside state waters, but for purposes of the cruise ship program and permit, these are state waters and are regulated by the state of Alaska.

Senator French asked what federal waters were nearest to Juneau. There are two answers to that question. For the purposes of cruise ship wastewater discharges in Alaska, the nearest federal waters are at three miles outside of Cross Sound in the Gulf of Alaska. For other purposes, the nearest federal waters are at a "donut hole" at the intersection of Lynn Canal, Icy Strait, and Chatham Strait, about half way between Juneau and Glacier Bay.

Senator Fairclough asked how the Department will define advanced wastewater treatment systems (AWTS). In its determination of AWTS, at a minimum the Department will ensure that the AWTSs will meet requirements for applicable parameters of Public Law 106-554 (the "Murkowski law"). These requirements include effluent standards for fecal coliform, suspended solids, and residual chlorine; and incorporate by reference secondary treatment limits similar to those that municipal domestic wastewater treatment systems are required to meet. These secondary treatment requirements include biochemical oxygen demand 5-day average (BOD-5), and pH. All of these standards in the Murkowski law are more stringent than what is required for Marine Sanitation Devices (MSDs).

In its determination, the Department will also consider data representing the effluent quality from the AWTS. The work of the Science Advisory Panel, which extensively studied AWTS, will also be used to inform the Department's determination.

Senator Bishop asked how many cruise ships operate in Alaska compared to the number of cruise ships permitted to discharge. Below are the numbers of large cruise ships that operated in Alaskan waters during the three years of the 2010 General permit, compared to the number of those ships approved by the Department to operate under the 2010 General Permit. Note that not all ships permitted to discharge actually chose to discharge.

2010 General Permit - Percent of Permitted Vessels

	<u>2010</u>	<u>2011</u>	<u>2012</u>
Total Ships	28	27	28
Permitted Ships	18	15	16
Percentage Permitted	64%	56%	59%

Senator Fairclough asked if the state ferries are excluded from the wastewater treatment requirements. The State ferries are not excluded. Five Alaska Marine Highway System (AMHS) ferries are small commercial passenger vessels for the purpose of the Alaska cruise ship wastewater regulations. These ferries operate under Best Management Practices plans approved by the Department, and their discharge volumes are consistent with small commercial passenger vessels. No AMHS ferries are large commercial passenger vessels.

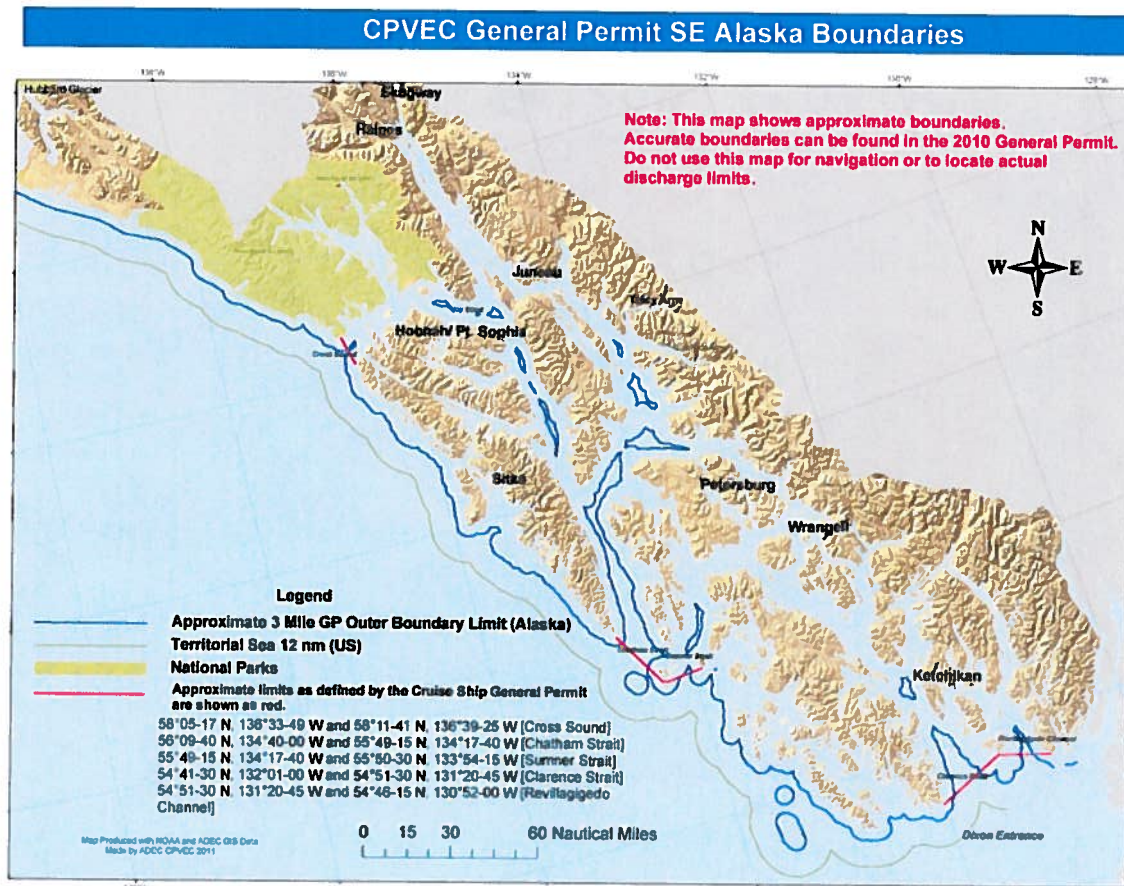
Sincerely,



Michelle Bonnet Hale
Director

Enclosure: CPVEC General Permit SE Alaska Boundaries

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Note that vessels must be permitted to discharge inside the red boundaries, or for all waters in the Alexander Archipelago.