

Department of Environmental Conservation

DIVISION OF WATER Juneau

PO Box 111800 Juneau, AK 99811 Main: (907) 465-5180 www.dec.alaska.gov

The following are the significant changes to the CPV statutes (AS 46.03), CPV specific regulations (18 AAC 69) and water quality standards (18 AAC 70) since 2006:

- a. 2007 SB 121 restored the ability for small vessels to operate under DEC-approved alternative best management practices plans which had been created in the 2004 legislation and was subsequently repealed by the language in the 2006 voter initiative.
- b. 2009 SB 183 expanded the qualifications for ocean rangers that monitor marine discharge and pollution requirements aboard large commercial passenger vessels.
- c. 2009 HB 134 allowed DEC to provide waivers to large vessels that were using the current best available technology; this change recognized that the technology did not yet exist that would allow vessels to consistently meet Alaska's discharge requirements. This provision sunsetted in 2015.
- d. 2009 18 AAC 70 amendments to adopt by reference the *Alaska Water Quality Criteria Manual for Toxic and Other Deleterious Organic and Inorganic Substances (2008)*, which serves as the numeric criteria for toxic pollutants adopted by reference in 18 AAC 70; included other relatively minor changes.
- e. 2012 18 AAC 70 amendments to revise the antidegradation language at 18 AAC 70.015.
- f. 2013 HB 80 allowed for a mixing zone for vessels that operate an advanced wastewater treatment system (operating the advanced system meets the technology-based treatment requirement for a mixing zone). The sunset provision that allowed for alternative plans for small vessels built before 2004 was partially removed; all small vessels, including those built after 2003, were now covered under the small vessel exemption.
- g. 2013 18 AAC 69 amendments included relatively minor changes to align terminology with other practices within DEC and provided additional time for an alternative plan approval from three years to five years after approval.
- h. 2017 SB 3 resolved an oversight in HB 80 (2013) that failed to fully remove the sunset date from the statutory provision allowing alternative best management plans for small vessels, causing the exemption to expire on December 31, 2016. Statutes were amended to reinstate the provision.
- i. 2017 18 AAC 70 amendments to review the bacteria criteria to adopt the EPA 2012 Recreational Water Quality Criteria for the designated use of contact recreation.
- j. 2018 18 AAC 69 amendments included relatively minor changes to include a requirement that a vessel must resample for temperature, pH, and chlorine if the vessel must resample for a fecal coliform exceedance.
- k. 2018 18 AAC 70 amendments adopting the antidegradation implementation procedures at 18 AAC 70.016 and allowing for the adoption of water quality standards variances at 18 AAC 70.205.