

**ALASKA STATE LEGISLATURE  
SENATE RESOURCES STANDING COMMITTEE**

March 18, 2022

3:37 p.m.

**DRAFT**

**MEMBERS PRESENT**

Senator Peter Micciche, Vice Chair  
Senator Gary Stevens  
Senator Jesse Kiehl  
Senator Scott Kawasaki

**MEMBERS ABSENT**

Senator Joshua Revak, Chair  
Senator Click Bishop  
Senator Natasha von Imhof

**COMMITTEE CALENDAR**

**SENATE JOINT RESOLUTION NO. 23**

Expressing the support of the Alaska State Legislature for naming the mountain between Cedar Ridge and Hope Peak south of Anchorage after Gail Phillips.

- MOVED SJR 23 OUT OF COMMITTEE

**SENATE BILL NO. 180**

"An Act relating to commercial passenger vessel environmental compliance; relating to commercial passenger vessel fees; establishing the wastewater infrastructure grant fund; repealing the authority for citizens' suits relating to commercial passenger vessel environmental compliance; repealing the commercial passenger vessel recognition program; and providing for an effective date."

- HEARD & HELD

**COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 79 (FIN)**

"An Act relating to sport fishing operators and sport fishing guides; requiring the Department of Fish and Game to prepare and submit a report; and providing for an effective date."

- SCHEDULED BUT NOT HEARD

**PREVIOUS COMMITTEE ACTION**

BILL: SJR 23

SHORT TITLE: SUPPORTING NAMING MTN AFTER GAIL PHILLIPS

SPONSOR(s): SENATOR(s) OLSON

02/22/22 (S) READ THE FIRST TIME - REFERRALS  
02/22/22 (S) RES  
03/18/22 (S) RES AT 3:30 PM BUTROVICH 205

BILL: SB 180

SHORT TITLE: PASSENGER VESSEL ENVIRONMENTAL COMPLIANCE

SPONSOR(s): RULES BY REQUEST OF THE GOVERNOR

02/04/22 (S) READ THE FIRST TIME - REFERRALS  
02/04/22 (S) RES, FIN  
02/14/22 (S) RES AT 3:30 PM BUTROVICH 205  
02/14/22 (S) Heard & Held  
02/14/22 (S) MINUTE(RES)  
03/18/22 (S) RES AT 3:30 PM BUTROVICH 205

**WITNESS REGISTER**

SENATOR DONNY OLSON

Alaska State Legislator

Juneau, Alaska

**POSITION STATEMENT:** Sponsor of SJR 23.

BRIX HAHN, Staff

Senator Donny Olson

Anchorage, Alaska

**POSITION STATEMENT:** Provided information related to SJR 23 on behalf of the sponsor.

KERIANN BAKER, Director

Member Relations

Homer Electric Association

Homer, Alaska

**POSITION STATEMENT:** Testified in support of SJR 23.

KATHRYN DEBARDELABEN, Representing Self

Soldotna, Alaska

**POSITION STATEMENT:** Shared testimony in support of SJR 23.

STEVEN DEBARDELABEN Representing Self

Soldotna, Alaska

**POSITION STATEMENT:** Shared testimony in support of SJR 23.

KATHRYN THOMAS, Representing Self  
Kasilof, Alaska

**POSITION STATEMENT:** Testified in support of SJR 23.

ROBIN PHILLIPS, representing the family of Gail Phillips  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of SJR 23.

EMMA POKON, Deputy Commissioner  
Office of the Commissioner  
Department of Environmental Conservation  
Juneau, Alaska

**POSITION STATEMENT:** Provided responses to the questions the committee asked during the introductory hearing on SB 180.

TERRI LOMAX, Environmental Program Manager  
Water Quality Standards, Assessment & Restoration Program  
Division of Water  
Department of Environmental Conservation  
Anchorage, Alaska

**POSITION STATEMENT:** Answered questions during the hearing on SB 180.

LAURA ACHEE, Legislative Liaison  
Department of Environmental Conservation  
Juneau, Alaska

**POSITION STATEMENT:** Provided information during the hearing on SB 180.

#### **ACTION NARRATIVE**

[3:37:25 PM](#)

**VICE CHAIR MICCICHE** called the Senate Resources Standing Committee meeting to order at 3:37 p.m. Present at the call to order were Senators Kiehl, Stevens, Kawasaki, and Vice Chair Micciche.

#### **SJR 23-SUPPORTING NAMING MTN AFTER GAIL PHILLIPS**

[3:38:36 PM](#)

**VICE CHAIR MICCICHE** announced the consideration of SENATE JOINT RESOLUTION NO. 23 Expressing the support of the Alaska State Legislature for naming the mountain between Cedar Ridge and Hope Peak south of Anchorage after Gail Phillips.

[3:38:57 PM](#)

SENATOR DONNY OLSON, Alaska State Legislator, Juneau, Alaska, sponsor of SJR 23, read the following sponsor statement:

[Original punctuation provided.]

Born in Juneau and raised in Nome, the late Speaker of the House, Gail Phillips, was an Alaskan at heart. She left an impression on the political minds and philanthropic hearts of Alaskans.

In her lifetime, she spent years working for local airlines, teaching, serving on the board of Iditarod Trail Race Committee, owned a sporting goods shop, lead the Homer Chamber of Commerce, was elected to Homer's City Council, served on the board of the Kenai Peninsula Borough Assembly, mined for gold on the Seward Peninsula and, of course, served in the Alaska House of Representatives.

She brought together urban republicans and rural democrats to form a coalition that she led as Speaker of the House for two consecutive terms. Following her political career, Gail worked as executive director of the Exxon-Valdez Oil Spill Trustees, and upon retirement she mentored future politicians and consulted for natural resource development in Alaska.

Upon her death, she was actively serving on the boards of the Iditarod Trail Race Foundation and the Alaska Aviation Museum. She was involved in her church, Anchor Park United Methodist and all her grandsons' activities.

She was a daughter, sister, wife, mother, aunt and grandmother. Her leadership was not limited to politics alone, her entire family benefitted from her guidance that she learned at the knee of Alaska State Territorial Representative, L.E. Ost, her grandfather. Mountains are stable, strong and brave, Gail Phillips lived her life with these defining attributes.

Her family and I are now advocating for one of her favorite mountains on the Kenai Peninsula to be named in her honor.

[3:41:45 PM](#)

SENATOR STEVENS commented that it is a deserving honor to name a peak in honor Gail Phillips.

SENATOR OLSON agreed and noted that he was beyond impressed when he was invited to clean up time at the gold mining facility where she worked.

[3:42:35 PM](#)

VICE CHAIR MICCICHE commented on her distinguished life and said he learned from the Phillips family about the importance of naming this peak in her honor.

SENATOR STEVENS asked what the process is to name a mountain.

SENATOR OLSON deferred the question to Ms. Hahn.

[3:44:10 PM](#)

BRIX HAHN, Staff, Senator Donny Olson, Anchorage, Alaska, relayed that it is necessary to wait five years after the death for the mountain to be named and appear on federal maps. Legislative Legal Services advised the sponsor to write a resolution as opposed to legislation to support the idea of naming the peak more quickly.

SENATOR STEVENS asked if a geographic agency has to approve the naming.

MS. HAHN answered yes and she would follow up in writing with the name of the agency.

[3:45:00 PM](#)

SENATOR KIEHL asked whether the peak currently had a name or if it was unnamed.

MS. HAHN answered that it is unnamed.

SENATOR KIEHL asked whether there was a traditional Athabascan place name for the peak.

MS. BRUNE answered that she didn't know but would find out and follow up in writing.

SENATOR KIEHL expressed interest in getting that information at some point in the process.

[3:46:09 PM](#)

SENATOR KAWASAKI conveyed that the U.S. Board of Geographic Names was the federal agency in charge of geographic names. He explained that once the board completes its process a member of Congress sponsors the legislative process to officially name the peak or other location and then the name can appear on federal maps. If any person of Congress opposes the name change, the process is held up. He noted that this is what delayed the name change from Mt. McKinley to Denali.

[3:47:32 PM](#)

VICE CHAIR MICCICHE opened public testimony on SJR 23.

[3:47:56 PM](#)

KERIANN BAKER, Director of Member Relations, Homer Electric Association, Homer, Alaska, said she didn't know of a mountain that could do Gail Phillips justice. She was a dynamic personality who was very supportive of her community. She is missed.

[3:48:59 PM](#)

KATHRYN DEBARDELABEN, Representing Self, and STEVEN DEBARDELABEN, representing self, Soldotna, Alaska, shared delivery of the following testimony in support of SJR 23:

We ask committee members to support SJR 23 because:

- Gail is a friend of our family, and has been since before we were born. We consider her a part of this family.
- She always included all the kids in conversations and listened to our ideas and our opinions.
- We learned from Gail that we all have an opportunity to participate in government and the legislature.
- Gail loved Alaska. You could tell by the stories she told, the stuff in her house, and how proud she was of Alaska's history.
- 

We brought a picture of us with Gail's mountain. Thank you for listening and we encourage for you to vote for this mountain to be named after our friend Gail Phillips.

[3:50:21 PM](#)

At ease.

3:50:50 PM

VICE CHAIR MICCICHE reconvened the meeting.

3:50:59 PM

KATHRYN THOMAS, Representing Self, Kasilof, Alaska, stated that her testimony would share Gail Phillips' obvious love of Alaska and her desire to see opportunities for Alaska. She said she worked on Gail Phillips' campaign for state House and quickly realized that people found Gail friendly and approachable. She also came to admire Gail's work ethic, drive, tenacity, and her ability to bring people together. People throughout the state looked at her as an old and close friend because she supported their visions and endeavors.

MS. THOMAS highlighted that when Gail was elected Alaska was facing major budget issues. Companies were canceling major prospects and declining to fund existing projects. In an effort to sustain the economy, Alaska business organizations banded together with an "Open for Business" campaign and motto. Gail Phillips was their friend in Juneau. Her office was accessible, she helped to find middle ground on major legislation, and she facilitated meetings between businesses and regulators. She traveled with the organization and added credibility to their efforts to make changes to encourage development and investment in Alaska. She highlighted that during her tenure in the House, Alaska businesses were able to pass tort reform legislation and devote a windfall tax settlement to establish a budget reserve account.

MS. THOMAS said Gail's vision for Alaska came down to roads and education. She understood how far it is from Nome to Juneau, the wealth of natural resources in those miles, and the potential for local jobs in the development of the resource. She saw the need for roads and airports to provide access, reduce the cost of living, and allow generations to continue to live on their home ground. Gail understood that the vast miles from Nome to Juneau held diverse cultures, people, and villages that were leaving a subsistence lifestyle in one generation and learning to manage a board room and billion dollar contracts. She was acutely aware of the need for education so Alaskans could guide their own future.

MS. THOMAS said Gail believed in the people of Alaska, their can-do spirit to protect the state's environment, develop its resources, and hold themselves and others accountable. She never hesitated to share this view with outside interests who criticized Alaskans and tried to limit their growth.

MS THOMAS concluded saying that if Alaska had an official designation for a state cheerleader, Gail Phillips would meet the criteria. She urged the committee to pass SJR 23 because naming this mountain in her honor was a beautiful recognition of her dedication to Alaskans and to her beloved state of Alaska.

[3:55:39 PM](#)

ROBIN PHILLIPS, representing the family of Gail Phillips, Anchorage, Alaska, thanked the committee for its time in considering the resolution and expressed hope that it would be forwarded. Responding to an earlier question, she said she believes the peak currently is unnamed, but the family will help the sponsor look into that further.

MS. PHILLIPS said her mother played a large role in the family and was a striking person wherever she went, much like the mountains in Alaska. She expressed appreciation for the previous testimony and hope that committee would support the resolution.

[3:57:30 PM](#)

VICE CHAIR MICCICHE closed public testimony on SJR 23.

SENATOR STEVENS asked if a sign could be posted on the mountain once the resolution passes, or if a legal or federal process like Senator Kawasaki described was also required.

VICE CHAIR MICCICHE relayed his understanding that the resolution simply states the legislature's support for renaming the mountain. He agreed that it would be helpful to know the next steps.

[3:58:24 PM](#)

SENATOR OLSON emphasized that to the best of his knowledge the mountain did not have a name, which means the process is a little different than the renaming process Senator Kawasaki described.

SENATOR STEVENS said his point was that it would be nice if the name appeared on federal maps and it would be nice to know what the process is to do that.

[3:58:55 PM](#)

MS. HAHN restated her understanding that it would be necessary to wait five years before the name would appear on federal maps.

[3:59:16 PM](#)

VICE CHAIR MICCICHE looked to the will of the committee.

[3:59:24 PM](#)

At ease.

[3:59:48 PM](#)

VICE CHAIR MICCICHE reconvened the meeting.

[3:59:53 PM](#)

SENATOR STEVENS moved to report SJR 23, work order 32-LS 32-LS1433\B, from committee with individual recommendations and attached fiscal note(s).

[4:00:08 PM](#)

SENATOR MICCICHE found no objection and SJR 23 was reported from the Senate Resources Standing Committee.

[4:00:19 PM](#)

At ease.

#### **SB 180-PASSENGER VESSEL ENVIRONMENTAL COMPLIANCE**

[4:02:00 PM](#)

VICE CHAIR MICCICHE reconvened the meeting and announced the consideration of SENATE BILL NO. 180 "An Act relating to commercial passenger vessel environmental compliance; relating to commercial passenger vessel fees; establishing the wastewater infrastructure grant fund; repealing the authority for citizens' suits relating to commercial passenger vessel environmental compliance; repealing the commercial passenger vessel recognition program; and providing for an effective date."

VICE CHAIR MICCICHE asked Ms. Pokon to respond to the questions the committee asked during the introductory hearing.

[4:02:32 PM](#)

EMMA POKON, Deputy Commissioner, Office of the Commissioner, Department of Environmental Conservation, Juneau, Alaska, stated that she was joined by Terri Lomax, the program manager for water quality standards. Their understanding was that they would be available for questions today but she would give a brief overview.

VICE CHAIR MICCICHE said he'd like to hear the responses to the previous questions to see if it spurred and additional questions.

[4:03:33 PM](#)

MS. POKON reviewed the document, significant changes to the CPV statutes (AS 46.03), CPV specific regulations (18 AAC 69) and water quality standards (18 AAC 70) since 2006:

[Original punctuation provided.]

- 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.

MS. POKON deferred to Ms. Lomax to discuss the the water sampling results.

[4:07:11 PM](#)

TERRI LOMAX, Environmental Program Manager, Water Quality Standards, Assessment & Restoration Program, Division of Water, Department of Environmental Conservation, Anchorage, Alaska, said the members should have copies of the summary results from sampling over the last several years. In 2015 there were six harbors that were sampled a few times during the year. In 2019 the sampling expanded to 19 harbors and their common shipping and traffic lanes that were used by both large and small cruise ships. The results were summarized in the report.

SENATOR MICCICHE asked her to remain online in case questions came up.

[4:08:56 PM](#)

SENATOR KIEHL noted that the previous hearing did not include much talk about the administration and historical efficiency of the Ocean Ranger Program. It was operated at the lowest possible cost, although he understands that the department had the contractor book berths for the ocean rangers at the industry rack rate, not a negotiated reduction. He asked whether the department could talk about those issues and opportunities.

VICE CHAIR MICCICHE asked Ms. Achee who would be able to answer questions about the Ocean Ranger Program and if they might be available today.

[4:10:42 PM](#)

LAURA ACHEE, Legislative Liaison, Department of Environmental Conservation, Juneau, Alaska, deferred the question to Ms. Pokon.

MS. POKON said the department agrees that a significant portion of the funding for the Ocean Ranger Program went towards paying for passage on the vessels. Whether or not there could be a more efficient process to purchase cruises for the ocean rangers is probably limited by the state procurement process, she said. Her belief is there is great value in having the DEC inspectors, who have knowledge about the discharges and how the vessels operate, go aboard to check the vessels directly. These inspectors have the authority to write a notice of violation and for enforcement, and this firsthand knowledge is arguably of more value than relying on a report from a third party. This also avoids the berthing costs throughout the season. She opined that the department's proposal identified that inefficiency in the current statute as well as a proposed solution.

SENATOR KIEHL said he didn't have any follow up on that point.

[4:12:55 PM](#)

SENATOR KAWASAKI asked Ms. Lomax whether the 2015 to 2019 graphs she provided were an average over those seasons, and how that compared to the total number of cruise ships. He acknowledged that both the 2020 and 2021 seasons were poor [due to the pandemic].

[4:13:25 PM](#)

MS. LOMAX confirmed that the 2015 to 2019 numbers were averaged. The samples taken those years were limited in locations and the number of samplings so they aren't the best representation of the variety of conditions, but they do provide a comparison. She said she had not compared this data to the other years because

of the limited number of samples, but with the return of cruise ships the department looks forward to looking at the changes and comparing the numbers to 2020 and 2021.

[4:14:30 PM](#)

SENATOR KAWASAKI questioned how useful the data was. He pointed to the 2015 to 2019 low fecal coliform numbers per volume for Seward that doubled in 2020 even though there probably weren't many cruise ships. It was the opposite in Ketchikan. The numbers were exceptionally high in 2015 to 2019, about half that in 2020 and exceptionally low in 2021 compared to the 2015 to 2019 numbers. He asked if she could explain those numbers.

[4:15:40 PM](#)

MS. LOMAX responded that water temperature drives bacteria levels so weather patterns and climate are considerations. The 2020 summer was very warm and the chart shows that there were significantly higher exceedances in 2020 than 2021, which was a very cold summer. There are also many sources of potential bacteria in those communities that could have affected the counts other than cruise ships, including wastewater treatment plants located near small boat harbors.

She said the department may use some of this data to drive more studies to identify sources of fecal coliform bacteria, but at this point it's not possible to say that the bacteria was directly related to cruise ships.

[4:17:00 PM](#)

VICE CHAIR MICCICHE stated that one of the reasons he supports the bill in its current form is that the wastewater infrastructure grant fund in the bill is designed to improve the waste treatment facilities in waived communities, primarily in Southeast. He asked if he understood that correctly.

MS. POKON responded that the department appreciates that if EPA decides to reevaluate whether or not those 301 (h) waiver permits are appropriate, it would be a significant cost to those communities if they had to increase treatment at their wastewater plants. Since the department no longer has to pay for berth space, the idea is to put that money into the grant program to help support those communities that have that significant cost on the horizon. It's appropriate since many of those port communities take the waste from cruise ship passengers that go ashore, and it's a burden.

[4:19:32 PM](#)

SENATOR MICCICHE said his primary point was that exceedances were primarily associated with the huge numbers of people who disembark cruise ships and overload local wastewater systems. He asked if that was accurate.

MS. POKON answered that is correct, although there are exceedances when there are no cruise ship visitors so there is a clear need to improve those facilities. She reminded the committee that the earlier presentation indicated that the standard discharge for 301(h) waiver communities was many orders of magnitude greater than what is allowed for large cruise ships. There is a clear and pressing need to improve that infrastructure.

[4:20:55 PM](#)

VICE CHAIR MICCICHE summarized that the money that the state previously invested in the Ocean Ranger Program will be used to improve wastewater infrastructure in coastal communities in Southeast, which are the actual source of the exceedances.

MS. POKON answered that is correct.

VICE CHAIR MICCICHE asked if it would be accurate to say that the grant fund likely would not be used to improve treatment options in Anchorage, but it will have significant funds that could be used as a match and perhaps fund most of the other 301(h) waived communities in Alaska.

MS. POKON answered that the current estimates for disinfection for most waived communities is \$5-10 million, but it would be significantly more for Anchorage. The money coming in from the cruise ships currently could support the oversight program DEC is proposing, and the savings could also go toward a significant portion [of the cost to improve treatment] in the small [waived] communities. It could make a big difference in those communities, she said.

[4:23:37 PM](#)

SENATOR KAWASAKI asked her to confirm that she said it would cost a community \$5-10 million to upgrade their wastewater treatment facilities.

MS. POKON replied that is the current estimate.

SENATOR KAWASAKI asked Senator Kiehl what the upgrades would cost in Juneau, and conveyed his understanding that the cost for most communities would be a lot more than \$5-10 million.

[4:24:21 PM](#)

SENATOR KIEHL answered that Juneau does not have a 301(h) waiver. Juneau does full secondary treatment, and more than that depending on the plant. He noted that nine communities, including Anchorage, had waivers. He split the difference between 5 and 10 and calculated that \$7.5 million times eight communities would cost roughly \$60 million. He commented that it was a long way to stretch \$3.5 million per year. He also posited that it was a dream to think that some of the larger communities on the waiver list could upgrade their wastewater infrastructure for \$10 million.

SENATOR KAWASAKI said he believes it's a good idea to have a wastewater infrastructure grant fund, but to say, as Section 13 does, that the money that previously went to the Ocean Ranger Program will be sufficient to make grants available to these communities for the upgrades seems unrealistic.

[4:26:02 PM](#)

VICE CHAIR MICCICHE offered his perspective that helping these communities disinfect their wastewater was far short of actual treatment but it was better than doing nothing. He also posited that the substantial funds for wastewater treatment that are coming from the Infrastructure Investment Jobs Act (IIJA) could be put in the proposed grant fund that may have enough to provide the match to improve disinfection at the very least.

[4:26:46 PM](#)

MS. ACHEE stated that when the director of the Division of Water met with port communities in Southeast to discuss the idea of this bill, it was before the IIJA passed but DEC already was well aware of the noticeable impact cruise ship passengers have on these local wastewater treatment systems during the summer months. Those communities conveyed that any form of financial help that involved repayment would be burdensome. She said DEC acknowledges that SB 180 is not a silver bullet, the grant funds it will make available to help resolve wastewater problems in these communities will be meaningful because they won't require repayment.

[4:28:31 PM](#)

SENATOR KIEHL noted that the chair mentioned that some cruise ships have very advanced wastewater treatment programs, but his understanding was that some of the older vessels do not have advanced treatment systems onboard. He also highlighted that since the last hearing a letter came in that speculated that

some ships may be set up to automate monitoring with sensors on valves while other vessels might not have that technology. He asked whether DEC had a sense of the number of large vessels that lack the advanced water treatment and how many would face a major investment to add remote monitoring technology versus a minor upgrade.

[4:29:50 PM](#)

VICE CHAIR MICCICHE asked him to clarify the question because his understanding was that all of the large cruise ships have advanced wastewater treatment technology onboard.

SENATOR KIEHL clarified the two questions. Regarding treatment technology, he recalled that some vessels have such advanced technology that they're permitted to discharge while in port and stationary. He asked how many vessels had that very advanced technology and how many had less-advanced treatment technology. He also asked how many vessels had the ability to do remote monitoring with automated valve sensors and how many did not have that technology.

[4:31:09 PM](#)

MS. ACHEE offered her understanding that all of the large vessels are capable of meeting the State of Alaska discharge standards. Some vessels choose not to discharge while in port, but that is not a reflection of their ability to meet those standards. The fleet of smaller vessels that come to the state includes some that are older, and for those it would be cost-prohibitive and perhaps impossible to retrofit an advanced wastewater treatment system onboard. That is why DEC has for many years had a separate track for smaller vessels to get best management practices in place.

Regarding the [automated valve] technology, the industry has said it's not possible to retrofit the technology as DEC currently envisions. She said she saw the letter Senator Kiehl mentioned that speculated that some vessels have automated valve monitoring technology, but that didn't align with the information DEC currently has so the department would look into that further and follow up on that point.

[4:33:06 PM](#)

SENATOR KAWASAKI asked whether other countries or sovereigns were lowering the regulation and oversight of wastewater discharge.

VICE CHAIR MICCICHE noted that he said "other" and asked if he meant that the State of Alaska was suggesting doing the same.

SENATOR KAWASAKI responded that he views the Ocean Ranger Program as an integral part of ensuring that there is oversight and regulation. His was asking of other countries were lowering their oversight and regulation.

MS. ACHEE answered that she didn't know but the only information DEC might be able to get would be about the level of oversight different regions have for cruise ships. Her understanding was that Alaska has among the most comprehensive oversight of cruise ships, but she would look at that more closely and follow up with what she learns. She also agreed with the chair that DEC was not lowering the requirements for cruise ships regarding discharges, registration, or air emissions. What the department is doing is looking for the best value for the money that's being spent to protect Alaska's environment and they do not believe that the changes in SB 180 will decrease the ability to do that.

[4:35:49 PM](#)

SENATOR KAWASAKI acknowledged that he misspoke. He should have asked whether other countries were increasing their oversight and regulatory regime on cruise ships and how they were doing so. For example, Singapore, Canada, and California are increasing their regulatory requirements on heavy metals and fecal coliform levels; Norway claims to have adopted new policy that represents one of the largest changes in environmental history; and Finland has projects to convert wastewater and sewage to biogas.

[4:36:57 PM](#)

VICE CHAIR MICCICHE said he'd like to know which countries were making an effort to reach or had exceeded Alaska's current wastewater standards. He emphasized that the water quality problems in Alaska for the last 15 or more years were unrelated to cruise ship traffic unless the passengers disembark into communities that are unprepared for the level of discharge. He said he'd like to improve the treatment options for those waived communities, but he'd like to take the long view approach and other water quality issues like in the small coastal village at the head of Cook Inlet because the issues there are probably more widespread than many would like to admit. He said he was quite serious about wanting to understand how Alaska measures globally. He asked if it was true that

Alaska has more waived communities than any other state in the US.

[4:39:32 PM](#)

MS. POKON offered her understanding that only those previously mentioned Alaska communities were still operating under the Clean Water Act 301(h) waivers. They did not have to meet the standards that other permitted communities and facilities have to meet.

VICE CHAIR MICCICHE observed that SB 180 offered a creative approach to improve water quality in Alaska over the long term. He noted that many of the CARES Act funding was for loan programs that turned out to be grant programs. With passage of IIJA, he envisioned enlisting federal help to get real water quality improvements in Southeast through loan forgiveness to grant programs such as the one proposed in SB 180.

VICE CHAIR MICCICHE held SB 180 in committee.

[4:41:50 PM](#)

There being no further business to come before the committee, Vice Chair Micciche adjourned the Senate Resources Standing Committee meeting at 4:41 p.m.