

**HB**

**134**

<target><bill>HB 134</bill><subject>HB  
134</subject><comm>SF26</comm></target>

# Alaska State Legislature

*Interim: (June-Dec)*  
716 WEST 4TH AVENUE, SUITE 600  
ANCHORAGE, AK  
99501-2133  
(907) 269-0129  
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*Session: (Jan-May)*  
STATE CAPITOL, ROOM 403  
JUNEAU, AK  
99801-1182  
(907) 465-4859  
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## REPRESENTATIVE JOHN HARRIS

### Sponsor Statement

#### **SCS for CS for House Bill No. 134 (RES)**

An Act relating to terms and conditions of commercial passenger vessel permits for wastewater discharges

The Senate Resources Committee Substitute for HB 134 represents a continuing effort to reach a compromise to address the issue of permits for wastewater discharges from large commercial passenger vessels known as cruise ships.

In 2006, Alaska voters approved the cruise ship initiative that amended the law to require vessels to meet water quality standards at the point of discharge. Municipal wastewater systems and discharges from other commercial entities commonly use mixing zones, and smaller-sized vessels in Alaska are exempt.

In 2008, the Department of Environmental Conservation issued a general permit for all large cruise ships that provided a two-year period for vessels to meet standards at the point of discharge. DEC has also conducted a cruise ship technology conference on available treatments for discharges of ammonia and dissolved metals.

All sides on this issue agree that technology is unavailable now for onboard treatment of wastewater that allows vessels to meet all water quality standards at the point of discharge.

This bill addresses how the agency will permit wastewater discharges from vessels to allow for the time it takes to get the technology developed and installed onboard. It is important to keep in mind that cruise ships discharge cleaner wastewater than most municipalities, commercial entities, and all other Alaska vessels.

The Senate Resources Committee version of HB 134 places a sunset date of January 1, 2015 on the provisions in the bill that provide an exception to the "point of discharge" requirement for meeting water quality standards.

# SENATE FINANCE COMMITTEE REPORT

DATE: 4/11/09

FURTHER:

DATE TURNED  
IN TO OFFICE: \_\_\_\_\_

Finance Committee considered CS FOR HOUSE BILL NO. 134(RES)

## HB 134 CRUISE SHIP WASTEWATER DISCHARGE PERMITS

"An Act relating to the terms and conditions of commercial passenger vessel permits for the discharge of graywater, treated sewage, and other wastewater; establishing a science advisory panel on wastewater treatment and effluent quality in the Department of Environmental Conservation; and providing for an effective date."

and recommends:

- be replaced with  SCS or  CS CS HB 134 (FIN)
- adopt previous  SCS or  CS \_\_\_\_\_
- attached amendment(s)
- adopt \_\_\_\_\_ Letter of Intent
- further referral to \_\_\_\_\_ Committee

<b>SENATE BILL:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
<hr/>	
<b>HOUSE BILL:</b>	
<input checked="" type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#
DEC	2/13			<input checked="" type="checkbox"/>	1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	Huggins	<input checked="" type="checkbox"/>			
	Thomas	<input checked="" type="checkbox"/>			
	O'Shea			<input checked="" type="checkbox"/>	
	ELLIS	<input checked="" type="checkbox"/>			
CO-CHAIR:	Hoffman	<input checked="" type="checkbox"/>			
CO-CHAIR:	STEADMAN	<input checked="" type="checkbox"/>			

# FISCAL NOTE

STATE OF ALASKA  
2009 LEGISLATIVE SESSION

Fiscal Note Number: 1  
Bill Version: CSHB 134(CRA)  
(H) Publish Date: 2/18/09

Identifier (file name): HB134-DEC-WQ-02-13-09 Dept. Affected: Environ. Conservation  
Title: Cruise Ship Wastewater Discharge Permits RDU: Division of Water  
Component: Water Quality  
Sponsor: Representative Harris  
Requester: House Community and Regional Affairs Committee Component Number: 2062

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>								
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<b>CHANGE IN REVENUES ( )</b>								
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**FUND SOURCE** (Thousands of Dollars)

	FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2009) cost: 0.0

**POSITIONS**

Full-time							
Part-time							
Temporary							

**ANALYSIS:** (Attach a separate page if necessary)

HB 134 has no fiscal impact on the Department of Environmental Conservation.

Prepared by: Lynn J. Tomich Kent  
Division: Water  
Approved by: Dan Easton  
Deputy Commissioner

Phone (907) 269-7599  
Date/Time 2/13/09 3:00 PM  
Date 2/13/2009

Adopted 4/15/09

AMENDMENT # 1 by Senator  
Ellis

OFFERED IN THE SENATE  
TO CS HB134 (RES)

Page 3, line 11

Insert after "using" "economically feasible"

Page 3, line 13

Delete "and economically feasible"

Page 3, line 18

Insert after "use of" "economically feasible"

Page 3, lines 19-20

Delete "and economically feasible"

Page 4, line 29

Insert after "additional" "economically feasible"

Page 4, lines 30-31

Delete "and economically feasible"

*Adopted*  
*4.15.09*

26-LS0570\D  
Bullard  
4/14/09

**SENATE CS FOR CS FOR HOUSE BILL NO. 134(FIN)**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**TWENTY-SIXTH LEGISLATURE - FIRST SESSION**

**BY THE SENATE FINANCE COMMITTEE**

**Offered:**

**Referred:**

**Sponsor(s): REPRESENTATIVES HARRIS, Kelly, Millett, Johansen, Foster, Keller, Chenault, Coghill, Johnson, Wilson, Muñoz, Hawker, Dahlstrom**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the terms and conditions of commercial passenger vessel permits for**  
2 **the discharge of graywater, treated sewage, and other wastewater; establishing a science**  
3 **advisory panel on wastewater treatment and effluent quality in the Department of**  
4 **Environmental Conservation; and providing for an effective date."**

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 **\* Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
7 to read:

8 **LEGISLATIVE INTENT.** It is the intent of the legislature that the minimum standards  
9 for the terms and conditions of wastewater discharge permits for large commercial passenger  
10 vessels meet all applicable state and federal effluent limits or standards, including Alaska  
11 Water Quality Standards, governing pollution at the point of discharge. The Department of  
12 Environmental Conservation shall establish and consult with a science advisory panel on  
13 wastewater treatment to evaluate the most technologically effective and economically feasible  
14 treatment options.

1 \* **Sec. 2.** AS 46.03.462(b) is amended to read:

2 (b) The minimum standard terms and conditions for all discharge permits  
3 authorized under this section require that the owner or operator

4 (1) may not discharge untreated sewage, treated sewage, graywater, or  
5 other wastewaters in a manner that violates any applicable effluent limits or standards  
6 under state or federal law, including Alaska Water Quality Standards governing  
7 pollution at the point of discharge, except as provided in (e) of this section;

8 (2) shall maintain records and provide the reports required under  
9 AS 46.03.465(a);

10 (3) shall collect and test samples as required under AS 46.03.465(b)  
11 and (d) and provide the reports with respect those samples required by  
12 AS 46.03.475(c);

13 (4) shall report discharges in accordance with AS 46.03.475(a);

14 (5) shall allow the department access to the vessel at the time samples  
15 are taken under AS 46.03.465 for purposes of taking the samples or for purposes of  
16 verifying the integrity of the sampling process; and

17 (6) shall submit records, notices, and reports to the department in  
18 accordance with AS 46.03.475(b), (d), and (e).

19 \* **Sec. 3.** AS 46.03.462(b), as amended by sec. 2 of this Act, is amended to read:

20 (b) The minimum standard terms and conditions for all discharge permits  
21 authorized under this section require that the owner or operator

22 (1) may not discharge untreated sewage, treated sewage, graywater, or  
23 other wastewaters in a manner that violates any applicable effluent limits or standards  
24 under state or federal law, including Alaska Water Quality Standards governing  
25 pollution at the point of discharge [, EXCEPT AS PROVIDED IN (e) OF THIS  
26 SECTION];

27 (2) shall maintain records and provide the reports required under  
28 AS 46.03.465(a);

29 (3) shall collect and test samples as required under AS 46.03.465(b)  
30 and (d) and provide the reports with respect those samples required by  
31 AS 46.03.475(c);

1 (4) shall report discharges in accordance with AS 46.03.475(a);

2 (5) shall allow the department access to the vessel at the time samples  
3 are taken under AS 46.03.465 for purposes of taking the samples or for purposes of  
4 verifying the integrity of the sampling process; and

5 (6) shall submit records, notices, and reports to the department in  
6 accordance with AS 46.03.475(b), (d), and (e).

7 \* **Sec. 4.** AS 46.03.462 is amended by adding new subsections to read:

8 (e) When issuing, reissuing, renewing, or modifying a permit required under  
9 (a)(1) of this section, the department may include effluent limits or standards less  
10 stringent than those required under (b)(1) of this section for not more than three years  
11 duration if the department finds that a permittee is using methods of pollution  
12 prevention, control and treatment the department considers to be the most  
13 technologically effective and economically feasible in controlling all wastes and other  
14 substances in the discharge but is unable to achieve compliance with Alaska Water  
15 Quality Standards at the point of discharge.

16 (f) In developing an effluent limit or standard under (e) of this section, the  
17 department shall

18 (1) require use of methods of pollution prevention, control, and  
19 treatment the department finds to be the most technologically effective and  
20 economically feasible; and

21 (2) apply all other applicable provisions of state law and this section.

22 (g) When reissuing, renewing, or modifying a permit required under this  
23 section that was issued after the effective date of this bill section, the department may  
24 not include effluent limits or standards less stringent than the comparable effluent  
25 limitations in a previous permit issued under this section.

26 (h) Nothing in this section shall be construed to limit the authority of the  
27 department to

28 (1) restrict the areas in which discharges permitted under this section  
29 may occur; or

30 (2) impose additional terms and conditions on the manner in which  
31 discharges permitted under this section may be made in a specific area.

1 \* **Sec. 5.** AS 46.03 is amended by adding a new section to read:

2 **Sec. 46.03.464. Advisory panel on wastewater treatment; commissioner's**  
3 **reports to the legislature.** (a) A science advisory panel is established in the  
4 department. The panel consists of 11 members selected by the commissioner.  
5 Members of the panel serve without compensation but are entitled to transportation  
6 expenses and per diem as authorized for members of boards and commissions under  
7 AS 39.20.180. Each of the individuals the commissioner selects will serve for up to a  
8 six-year period and have expertise in the design, operation, or function of wastewater  
9 management and treatment systems; among the 11 panel members, the commissioner  
10 shall select at least one individual from each of the following groups:

- 11 (1) coastal community domestic wastewater management;  
12 (2) cruise ship industry;  
13 (3) commercial fishing industry; and  
14 (4) a nongovernmental organization with an interest in water quality  
15 matters.

16 (b) The panel shall

- 17 (1) meet at the call of the commissioner and give public notice of  
18 meetings of the panel as required under AS 44.62.310 and 44.62.312;  
19 (2) hold one or more public conferences or workshops before 2013,  
20 with at least one public conference or workshop to be held between January 1, 2013,  
21 and January 1, 2015, if the department issues, renews, or modifies a permit required  
22 under AS 46.03.462(a)(1) after January 1, 2012; and  
23 (3) assist and advise the commissioner in conducting the analyses and  
24 preparing the reports required in (c) and (d) of this section.

25 (c) On or before January 1, 2013, the commissioner, in consultation with the  
26 panel, shall provide a preliminary report to the legislature that summarizes

- 27 (1) methods of pollution prevention, control, and treatment in use and  
28 the level of effluent quality achieved by commercial passenger vessels;  
29 (2) additional methods of pollution prevention, control, and treatment  
30 that could be employed to provide the most technologically effective and  
31 economically feasible measures to control all wastes and other substances in the

1 discharge; and

2 (3) the environmental benefit and cost of implementing additional  
3 methods of pollution prevention, control, and treatment identified in (2) of this  
4 subsection.

5 (d) On or before January 1, 2015, the commissioner, in consultation with the  
6 panel, shall provide a final report to the legislature that includes the topics identified in  
7 (c)(1) - (3) of this section.

8 \* **Sec. 6.** AS 46.03.465 is amended by adding a new subsection to read:

9 (h) On request, the owner or operator of a commercial passenger vessel  
10 discharging wastewater under AS 46.03.462(b) shall provide the department with  
11 information relating to wastewater treatment, pollution avoidance, and pollution  
12 reduction measures used on the vessel, including testing and evaluation procedures  
13 and economic and technical feasibility analyses.

14 \* **Sec. 7.** AS 46.03.462(e), 46.03.462(f), and 46.03.464 are repealed.

15 \* **Sec. 8.** Sections 3 and 7 of this Act take effect December 31, 2015.

16 \* **Sec. 9.** Except as provided in sec. 8 of this Act, this Act takes effect immediately under  
17 AS 01.10.070(c).

## **Timeline Requirements for CS for CSHB 134 (RES)**

**March 2008** – DEC issued a **general permit** (*expires March 2013*). Permit gives relief from meeting the water quality standards (WQS) at the “point of discharge” for four pollutants (ammonia, copper, nickel, and zinc) through the 2009 cruise season.

**March 2010** – DEC will issue a **general permit** (*expires March 2013*). Permit will be based on the 2009 technology review; most recent data; and will likely include limits for ammonia, copper, nickel, and zinc that are similar to the interim limits in the 2008 permit. The February 2009 technology conference shows there are no treatment options currently available for installation on cruise ships that would allow them to consistently meet “at the point of discharge” requirements for these four pollutants.

**Fall 2012** – DEC will host a **technology conference**.

**January 2013** – DEC will provide preliminary **report to Legislature** on conference and status.

**March 2013** – DEC will issue a **general permit** (*expires March 2016*) again - even if the Fall 2011 technology conference indicates WQS can't be met yet “at the point of discharge” for all pollutants.

**Fall 2014** – DEC will host **technology conference** if cruise ships are not yet meeting the “at the point of discharge” requirement for all pollutants.

**January 2015** – DEC will provide **report to Legislature** on conference and status.

**March 2016** - DEC will issue a **general permit** (*expires March 2021*) again – requiring all vessels discharging in Alaska waters to meet WQS at the “point of discharge” regardless of the status of technology to do so.

# Alaska State Legislature

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## REPRESENTATIVE JOHN HARRIS

### MEMORANDUM

April 14, 2009

TO: Senator Bert Stedman  
FROM: Representative John Harris  
SUBJECT: HB 134, Commercial Passenger Vessel Wastewater Permits

Please consider this request to schedule HB 134 for a hearing in the Senate Finance Committee. An updated sponsor statement is attached for your review.

HB 134 would address wastewater discharges from commercial passenger vessels. My office, as bill sponsor, has worked with all interested parties on it. Under the bill:

- Cruise ship companies would be provided time and opportunity to develop technology that allows them to meet water quality standards at the point of discharge.
- The Alaska Department of Environmental Conservation would have the authority to issue wastewater discharge permits that attempt to incorporate the best available technology for effluent treatment.
- A science advisory panel would be created to assist DEC and provide the legislature with reports about wastewater treatment technology development and cruise ship discharge activities.
- Large commercial passenger vessels that cannot meet water quality standards at the point of discharge would have permits limited to two years – rather than the normal five-year period for all other permits.
- The Senate Resources Committee placed a sunset provision of January 1, 2015 for the provisions in the bill that give DEC authority to issue permits to vessels that cannot meet standards at the point of discharge.

I believe we have done our best to make sure that all viewpoints have been considered, and we have drafted a bill that would be good for Alaska.

# Alaska State Legislature

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*Session: (Jan. – May)*  
State Capitol, Room 403  
Juneau, Alaska 99801-1182  
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## REPRESENTATIVE JOHN HARRIS

March 11, 2009

Governor Sarah Palin  
Office of the Governor  
Juneau, Alaska

Subject: Large Commercial Passenger Vessel Wastewater Discharge Permits

Dear Governor Palin:

This is to call your attention to legislation relating to wastewater discharge permits for large passenger vessels operating in state waters. Policy direction from your office would be helpful to the legislature, coastal communities, vessel owners, and many interested individuals toward resolving this issue.

House Bill 134 would provide the Department of Environmental Conservation with the same authority to regulate wastewater discharges of large vessels that it has with other entities. Current law – which was established by voter initiative in 2006 – requires testing of vessel wastewater specifically at the point of discharge.

Testing at the point of discharge imposes a different methodology than that which exists for any other industry or municipality in Alaska. For example, mining operations, seafood processing, and coastal communities have their discharges tested at a reasonable distance away from the discharge point. Be that as it may, clean water itself should be our standard, and if someone is polluting our waters, then DEC must step in and stop them.

In spite of the initiative's language, DEC issued a general permit for all large commercial passenger vessels on March 25, 2008 that provides interim effluent limits and recognizes that vessels need time to make changes to their operations or equipment. The compliance schedule provides a deadline of 2010 to fully meet new standards for ammonia, copper, nickel, and zinc.

I believe this first discharge permit was a good first step. It complies with the citizens' initiative, and it establishes a reasonable approach toward developing vessel treatment systems that will keep our marine water clean.

Two bills have already been signed into law that have amended the citizens' initiative. One, by former Sen. Kim Elton, removed state ferries and other vessels of similar size from the initiative's requirements. Another, by Rep. Lindsey Holmes, removed certain passenger disclosure provisions. HB 134 – if enacted – would not be the first change to the initiative.

As the prime sponsor of HB 134, I have confidence that DEC is fully qualified to evaluate the best available methods and technologies and apply them to the operational permits that cruise ships must obtain. A technology session recently held by DEC revealed several approaches that could result in protecting Alaska waters; however, it found that not all systems could work on all vessels, not all vessels could discharge to shore, and all this is a developing field needing further evaluation by DEC. The bottom line is that your administration is working right now toward bringing the best treatment systems possible on board vessels as quickly as possible.

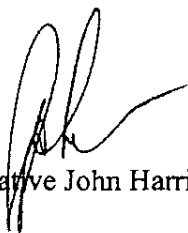
By having confidence in DEC's ability and efforts, I sponsored HB 134. Giving the agency broad authority does nothing to diminish water quality standards. Its officials are working hard to implement the best treatment technology as quickly as possible, and they will hold vessels to high water quality standards.

Unless a bill is enacted this session that amends the testing requirement "at the point of discharge," both large commercial passenger vessels and DEC will face a difficult decision. Either the agency will have to continue to issue permits that don't meet the requirements of the citizens' initiative or large commercial passenger vessels will have to abide by standards for which technology is not now available.

HB 134 returns that authority to the agency. Your support for the legislation will convey your confidence that the agency will do the job that we expect it to do.

Thank you for your time and consideration of this important issue.

Sincerely,



Representative John Harris

cc: Commissioner Larry Hartig, Department of Environmental Conservation  
Jerry Gallagher, Legislative Director, Office of the Governor



Thank you for taking the time to meet with us.

In 2006, the Alaska voters passed a cruise ship initiative. The area of concern for the cruise ships is the new permit standards that were created.

Since 2002, Alaska has had among the highest standards in the world for waste water discharge from large cruise ships. We acknowledge being held to a higher standard and have invested over \$200 million in the technology to achieve those levels. In May of 2008, ADEC adopted new standards for the final large cruise ship general permit. Not only are these standards far higher than any community in Alaska; the technology to implement them is not commercially available or is impractical for ships. This is despite the promise from initiative sponsors that the initiative would simply "level the playing field."

The initiative language tied the hands of ADEC and does not allow them to set the permit limits based on science. We are asking the legislature to follow the will of the people and "level the playing field," to untie the hands of ADEC and let them do their job.

Attached you will find several documents that we feel make a compelling case to use similar methods of measurement in order to "level the playing field."

Sincerely,

A handwritten signature in black ink, appearing to read "John Binkley".

John Binkley  
President  
ACA

*360 K Street · Anchorage, Alaska · 99501 · (907) 743-4529 · (907) 743-4553 fax*

## Comparable EPA NPDES Discharge Permits in Alaska and Associated Effluent Limits

The following table compares the effluent guidelines in the ADEC General Cruise Ship Permit with effluent limitations within existing wastewater discharge permit limits in Alaska. Analytical data from the EPA cruise ship sampling project is compared with minimum permitted levels for land-based plants within typical large cruise ship itineraries and various other communities in Alaska. For cases where land-based permits indicated analysis for total recoverable metals, these limits were compared to cruise ship dissolved metals concentrations. For land-based permits that include variable effluent limitations based on monthly averages, weekly averages, or daily maximums, the most stringent level was chosen. The synopsis indicates that the final 2010 effluent limitations of the ADEC General Cruise Ship permit are stricter than the limits in the permits of any land-based municipal treatment plants in Alaska.

	2002			2006				
	Fecal Coliform (fc/100 ml)	BOD (mg/L)	TSS (mg/L)	Diss Copper (ug/L)	Diss Nickel (ug/L)	Diss Zinc (ug/L)	Total Ammonia (ug/L)	
Cruise Ship Permit (interim)	14	30	30	66	180	230	80.4	Interim Levels
Cruise Ship Permit (2010 final)	14	30	30	3.1	8.2	81	2.9	2010 Initiative Limits
Anchorage	850	240	170					
Eagle River	100	30	30	175			36	
Fairbanks	200	30	30					
Girdwood	100	30	30	57				
Haines	1,000,000	140	140	156				
Juneau Douglas	400	30	30					
Juneau Mendenhall	161	30	30	95.8			48.0	
Kenai	200	30	30					
Kennecott Greens Creek mine	7,000	30	20	300		1000		
Ketchikan	1,000,000	146	129	290		9384	43	
Palmer	20	30	30				18.5	
Seward	50,000	30	30					
Sitka	1,000,000	140	140	354				
Skagway	1,000,000	80	70	210				
Soldotna	100	30	30					

Submitted by Rep Harris

## Comparison of Effluent Volumes between Land-based Municipal Treatment Plants and Cruise Ships

The average volume of discharge from a cruise ship was also compared to the average discharge volume of each land-based plant in order to evaluate the cumulative effects of cruise ship discharges within Alaska waters. Advanced wastewater systems on cruise ships operate efficiently and generally produce a small volume of treated effluent compared to land based plants. The following chart lists the permitted effluent for Alaska land-based treatment plants, and the equivalent number of cruise ships required to match the volume of daily effluent in each community.

	Permitted daily discharge in gallons	Equivalent number of large cruise ships to equal one day of each city's permitted waste water discharge
Average Cruise Ship Daily Discharge	143,600	1
Anchorage	36,000,000	251
Eagle River	2,500,000	17
Girdwood	600,000	4
Haines	1,900,000	13
Juneau Douglas/Mendenhall	7,660,000	53
Kenai	1,330,000	9
Kennecott Greens Creek mine	2,390,000	17
Ketchikan	4,000,000	28
Palmer	950,000	7
Seward	900,000	6
Sitka	1,800,000	13
Skagway	630,000	4
Soldotna	1,080,000	8

For average cruise ship effluents, 2004 EPA cruise ship study data, available at [http://www.epa.gov/owow/oceans/cruise\\_ships/results.html](http://www.epa.gov/owow/oceans/cruise_ships/results.html)

For effluent values for communities, individual EPA permits, located at <http://yosemite.epa.gov/R10/water.nsf/NPDES+Permits/Permits+Homepage>

*Submitted by Harris*

**Quote from Gershon Cohen and the Campaign to Safeguard America's Waters issued press release (Alaska Cruise Ship Initiative Certified for 2006 Ballot).**

"If passed, the new initiative will level the economic and environmental playing fields between the cruise ship industry and other major dischargers of polluted wastes into Alaska waters."

**Quote from Joe Geldhof, Juneau Attorney, co-author of Alaska Cruise Ship Initiative, Skagway News story (Ballot Measure Two, the cruise initiative, raises voices in ship-happy Skagway).**

"There's nothing radical on here," said Geldhof, adding that the measure would make the cruise industry adhere to the same pollution standards as fisheries, municipalities, and gas and oil companies. Drafting techniques to adopt the similar basic body of law makes it long. "It's not meant to be long, onerous and punitive."

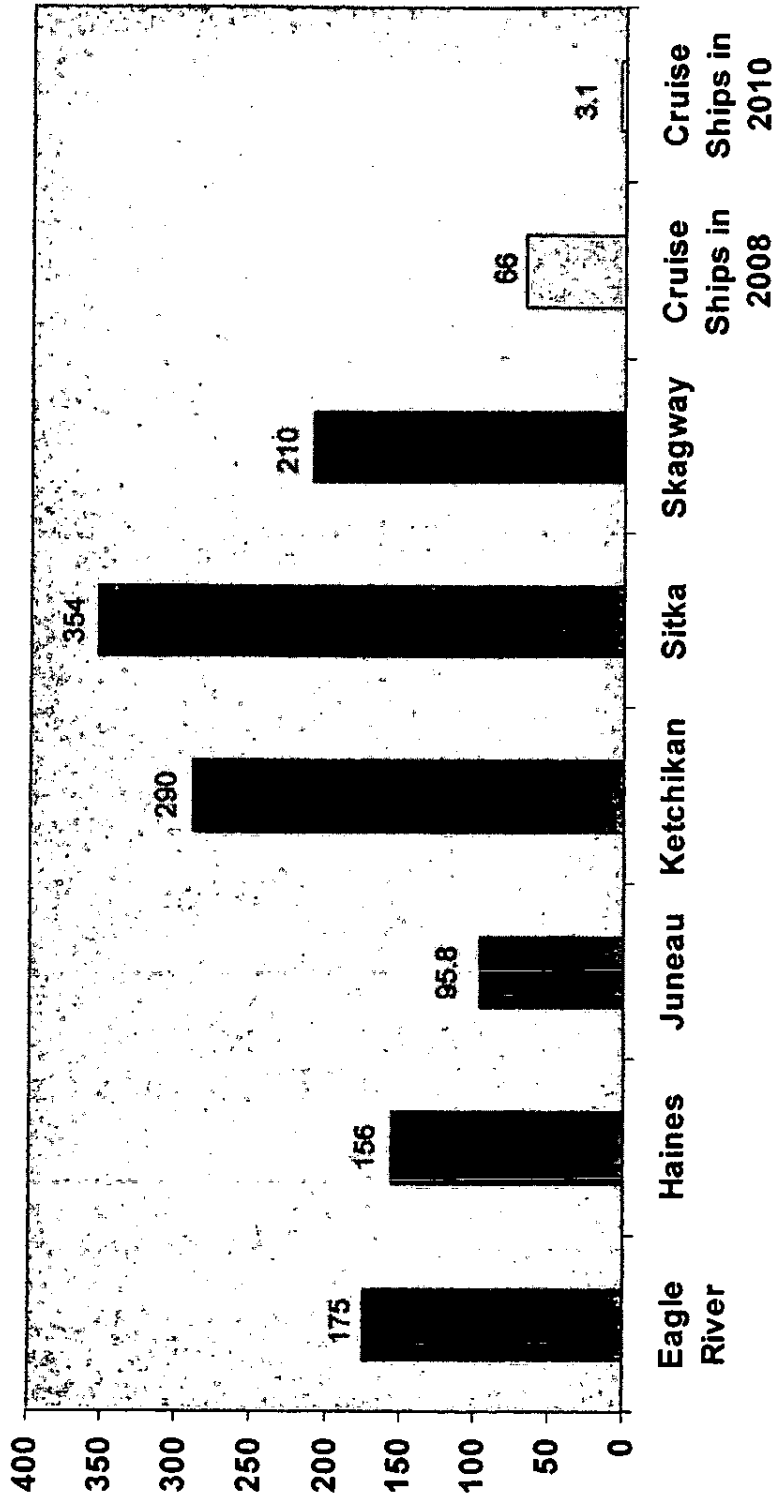
**Quote from an Alaska Department of Environmental Conservation issued press release (State Issues First Discharge Permit for Cruise Ships in Alaska).**

"The majority of large cruise ships operating in Alaska have advanced wastewater treatment systems that produce a very high quality discharge – much higher, for example, than shore-based municipal sewage treatment systems."

"The department has determined that as long as ships comply with the interim effluent limits there will be no impacts on water resources or aquatic life."

Submitted by Rep Harris

# Copper Limits for Community Discharge Permits vs. Cruise Ship Permit Limits



Max Daily Permit Limits in Parts Per Billion (ppb)

Submitted by Rep Harris



# LAWS OF ALASKA

2006

**Source**  
**Ballot Measure No. 2**

## AN INITIATIVE

Providing for taxation of certain commercial ship vessels, pertaining to certain vessel activities, and related to ship vessel operations taking place in the marine waters of the State of Alaska; and providing for an effective date.

---

**BE IT ENACTED BY THE PEOPLE OF THE STATE OF ALASKA:**

THE INITIATIVE FOLLOWS ON PAGE 1

**Date Election Results Certified: September 18, 2006**  
**Actual Effective Date: December 17, 2006**

**AN INITIATIVE**

1 Providing for taxation of certain commercial ship vessels, pertaining to certain vessel  
2 activities, and related to ship vessel operations taking place in the marine waters of the State  
3 of Alaska; and providing for an effective date.

4

5 \* Section 1. AS 43 is amended by adding a new chapter to read:

6 **Chapter 52. Excise Tax on Travel Aboard Commercial Passenger Vessels.**

7 **Sec. 43.52.010. Levy of excise tax on overnight accommodations on**  
8 **commercial passenger vessels.** There is imposed an excise tax on travel on  
9 commercial passenger vessels providing overnight accommodations in the state's  
10 marine water.

11 **Sec. 43.52.020. Rate of tax.** The tax imposed by AS 43.52.010 - 43.52.095 is  
12 levied at a rate of \$46 a passenger per voyage.

13 **Sec. 43.52.030. Liability for payment of tax.** A passenger traveling on a  
14 commercial passenger vessel providing overnight accommodations in state marine

1 water is liable for the tax imposed by AS 43.52.010 - 43.52.095. The tax shall be  
2 collected and is due and payable to the department

3 (1) by the person who provides travel aboard a commercial vessel for  
4 which the tax is payable; and

5 (2) in the manner and at the times required by the department by  
6 regulation.

7 **Sec. 43.52.040. Disposition of receipts.** (a) The proceeds from the tax on  
8 travel on commercial passenger vessels providing overnight accommodations in the  
9 state's marine water shall be deposited in a special "commercial vessel passenger tax  
10 account" in the general fund. The legislature may appropriate money from this account  
11 for the purposes described in (b) and (c) of this section, for state-owned port and  
12 harbor facilities, other services to properly provide for vessel or watercraft visits, to  
13 enhance the safety and efficiency of interstate and foreign commerce, and such other  
14 lawful purposes as determined by the legislature.

15 (b) For each voyage of a commercial passenger vessel providing overnight  
16 accommodations, the commissioner shall identify the first five ports of call in the state  
17 and the number of passengers on board the vessel at each port of call. Subject to  
18 appropriation by the legislature, the commissioner shall distribute to each port of call  
19 \$5 per passenger of the tax revenue collected from the tax levied under this chapter. If  
20 the port of call is a city located within a borough not otherwise unified with the  
21 borough, the commissioner shall, subject to appropriation by the legislature, distribute  
22 \$2.50 per passenger to the city and \$2.50 to the borough. Each port of call receiving  
23 funds under this section shall use the funds in a manner calculated to improve port and  
24 harbor facilities and other services to properly provide for vessel or watercraft visits  
25 and to enhance the safety and efficiency of interstate and foreign commerce.

26 (c) A "regional cruise ship impact fund" consisting of 25 percent of the  
27 proceeds from the tax on travel aboard commercial passenger vessels providing  
28 overnight accommodations in the state's marine water shall be established as sub-  
29 account of the funds established in (a) of this section and deposited in the general  
30 fund. Subject to appropriation by the legislature and regulations adopted by the  
31 Department of Revenue, the commissioner shall distribute funds to municipalities or

1 other governmental entities within the Prince William Sound Region, Southeast  
2 Alaska, or any other distinctive region impacted by cruise ship related tourism  
3 activities but not entitled to receive funds based on port of call visitation as allowed by  
4 (b) of this section, provided that any funds used from this account shall be used to  
5 provide services and infrastructure directly related to passenger vessel or watercraft  
6 visits or to enhance the safety and efficiency of interstate and foreign commerce  
7 related to vessel or watercraft activities.

8 **Sec. 43.52.050. Administration.** (a) The department shall

9 (1) administer this chapter; and

10 (2) collect, supervise, and enforce the collection of taxes due under this  
11 chapter and penalties as provided in AS 43.05.

12 (b) The department may adopt regulations necessary for the administration of  
13 this chapter.

14 **Sec. 43.52.060. Local levies.** Any municipality, whether home rule or general  
15 law, that receives passenger ship fee funds under this chapter may not impose an  
16 additional form of tax on travel on commercial passenger vessels engaged in activities  
17 involving overnight accommodations for passengers in state marine waters. Any form  
18 of tax on travel on commercial passenger vessels engaged in activities involving  
19 overnight accommodations for passengers in state marine waters enacted by a  
20 municipality, whether home rule or general law, prior to the effective date of this  
21 section shall expire one year after enactment of this law if that municipality elects to  
22 receive funds under this chapter.

23 **Sec. 43.52.095. Definitions.** In this chapter,

24 (1) "commercial passenger vessel" means a boat or vessel that is used  
25 in the common carriage of passengers in commerce; "commercial passenger vessel"  
26 does not include

27 (A) vessels with fewer than 250 berths or other overnight  
28 accommodations for passengers;

29 (B) noncommercial vessels, warships, and vessels operated by  
30 the state, the United States, or a foreign government;

31 (2) "marine water of the state" and "state marine water" have the

1 meaning given to "waters" in AS 46.03.900, except that they include only marine  
2 waters;

3 (3) "passenger" means a person whom a common carrier has  
4 contracted to carry from one place to another;

5 (4) "voyage" means any trip or itinerary lasting more than 72 hours.

6 \* Sec. 2. AS 05 is amended by adding a new chapter to read:

7 **Chapter 16. Games of Chance and Contests of Skill on Ships Operating on Waters**  
8 **within the Jurisdiction of Alaska.**

9 **Sec. 05.16.010. Gambling activities aboard commercial vessels**  
10 **purportedly authorized by federal law.** This chapter applies to the use of playing  
11 cards, dice, roulette wheels, coin-operated instruments or machines, or other objects or  
12 instruments used, designed, or intended for gaming or gambling used in the waters  
13 under the jurisdiction of the State of Alaska on a voyage described in 15 U.S.C.  
14 1175(c)(2), and to any other gambling activities taking place aboard large passenger  
15 vessels in the state.

16 **Sec. 05.16.020. Tax on gambling activities authorized by AS 05.16.010.**  
17 There is imposed on the operator of a gaming or gambling activities aboard large  
18 passenger vessels in the state a tax of 33 percent of the adjusted gross income from  
19 those activities. "Adjusted gross income" means gross income less prizes awarded and  
20 federal and municipal taxes paid or owed on the income. The tax shall be collected  
21 and is due and payable to the Department of Revenue in the manner and at the times  
22 required by the Department of Revenue.

23 **Sec. 05.16.030. Disposition of receipts.** The proceeds from the tax on  
24 gambling operations aboard commercial passenger vessels in the state's marine water  
25 shall be deposited in a special "commercial vessel passenger tax account" in the  
26 general fund.

27 \* Sec. 3. AS 43.20.021 is repealed and reenacted to read:

28 **Sec. 43.20.021(a). Internal Revenue Code adopted by reference.** (a)  
29 Sections 26 U.S.C. - 1399 and 6001 - 7872 (Internal Revenue Code), as amended, are  
30 adopted by reference as a part of this chapter. These portions of the Internal Revenue  
31 Code have full force and effect under this chapter unless excepted to or modified by

1 other provisions of this chapter.

2 (b) Nothing in this chapter or in AS 43.19 (Multistate Tax Compact) may be  
3 construed as an exception to or modification of 26 U.S.C. 883.

4 (c) The provision in (b) of this section does not apply to commercial passenger  
5 vessels as defined in AS 43.52.095.

6 \* Sec. 4. AS 46.03.462 is repealed and reenacted to read:

7 Sec. 46.03.462. Terms and conditions of discharge permits. (a) An owner or  
8 operator may not discharge any treated sewage, graywater, or other wastewater from a  
9 large commercial passenger vessel into the marine waters of the state unless the owner  
10 or operator obtains a permit under AS 46.03.100, which shall comply with the terms  
11 and conditions of vessel discharge requirements specified in (b) of this section.

12 (b) The minimum standard terms and conditions for all discharge permits  
13 authorized under this provision require that the owner or operator

14 (1) may not discharge untreated sewage, treated sewage, graywater, or  
15 other wastewaters in a manner that violates any applicable effluent limits or standards  
16 under state or federal law, including Alaska Water Quality Standards governing  
17 pollution at the point of discharge;

18 (2) shall maintain records and provide the reports required under  
19 AS 46.03.465(a);

20 (3) shall collect and test samples as required under AS 46.03.465(b)  
21 and (d) and provide the reports with respect those samples required by  
22 AS 46.03.475(c);

23 (4) shall report discharges in accordance with AS 46.03.475(a);

24 (5) shall allow the department access to the vessel at the time samples  
25 are taken under AS 46.03.465 for purposes of taking the samples or for purposes of  
26 verifying the integrity of the sampling process; and

27 (6) shall submit records, notices, and reports to the department in  
28 accordance with AS 46.03.475(b), (d), and (e).

29 \* Sec. 5. AS 46.03.463 is amended to read as follows:

30 Sec. 46.03.463(d) is repealed.

31 Sec. 46.03.463(e) is repealed and reenacted to read: An owner or operator may

1 not discharge any treated sewage, graywater, or other wastewater from a large  
2 commercial passenger vessel into the marine waters of the state unless the owner or  
3 operator obtains a permit under AS 46.03.100 and 46.03.462, and provided that the  
4 vessel is not in an area where the discharge of treated sewage, graywater, or other  
5 wastewaters is otherwise prohibited.

6 Sec. 46.03.463(g) is repealed.

7 \* Sec. 6. AS 46.03.465 is repealed and reenacted to read:

8 Sec. 46.03.465. Information-gathering requirements. (a) The owner or  
9 operator of a commercial passenger vessel shall maintain daily records related to the  
10 period of operation while in the state, detailing the dates, times, and locations, and the  
11 volumes and flow rates of any discharges of sewage, graywater, or other waster into  
12 the marine waters of the state, provide electronic copies of such records on a monthly  
13 basis to the department no later than five days after each calendar month of operation  
14 in state waters.

15 (b) While a commercial passenger vessel is present in the marine waters of the  
16 state, the owner or operator of the vessel shall provide an hourly report of the vessel's  
17 location based on Global Positioning System technology and collect routine samples  
18 of the vessel's treated sewage, graywater, and other wastewaters being discharged into  
19 marine waters of the state with a sampling technique approved by the department.

20 (c) While a commercial passenger vessel is present in the marine waters of the  
21 state, the department, or an independent contractor retained by the department, may  
22 collect additional samples of the vessel's treated sewage, graywater, and other  
23 wastewaters being discharged into the marine waters of the state.

24 (d) The owner or operator of a vessel required to collect samples under (b) of  
25 this section shall ensure that all sampling techniques and frequency of sampling events  
26 are approved by the department in a manner sufficient to ensure demonstration of  
27 compliance with all discharge requirements under AS 46.03.462.

28 (e) The owner or operator of a commercial passenger vessel shall pay for all  
29 reporting, sampling, and testing of samples under this section.

30 (f) If the owner or operator of a commercial passenger vessel has, when  
31 complying with another state or federal law that requires substantially equivalent

1 information required under (a), (b), or (d) of this section, the owner or operator shall  
2 be considered to be in compliance with that subsection so long as the information is  
3 also provided to the department.

4 \* Sec. 7. AS 46.03 is amended by adding new sections to read:

5 **Sec. 46.03.476. Ocean Rangers.** (a) An owner or operator of a large  
6 commercial passenger vessel entering the marine waters of the state is required to have  
7 a marine engineer licensed by the United States Coast Guard hired or retained by the  
8 department on board the vessel to act as an independent observer for the purpose of  
9 monitoring state and federal requirements pertaining to marine discharge and pollution  
10 requirements and to insure that passengers, crew, and residents at ports are protected  
11 from improper sanitation, health, and safety practices.

12 (b) The licensed marine engineer shall monitor, observe, and record data and  
13 information related to the engineering, sanitation, and health related operations of the  
14 vessel, including but not limited to registration, reporting, record-keeping, and  
15 discharge functions required by state and federal law.

16 (c) Any information recorded or gathered by the licensed marine engineer  
17 shall be promptly conveyed to the Alaska Department of Environmental Conservation  
18 and the United States Coast Guard on a form or in a manner approved by the  
19 commissioner of environmental conservation. The commissioner may share  
20 information gathered with other state and federal agencies.

21 **Sec. 46.03.481. Citizens' suits.** (a) Any citizen of the State of Alaska may  
22 commence a civil action (1) against an owner or operator of a large passenger vessel  
23 alleged to have violated any provision of this chapter, or (2) against the department  
24 where there is an alleged failure to perform any act or duty under this chapter which is  
25 not discretionary. No civil action may be commenced under this section, however,  
26 prior to 45 days after the plaintiff has provided written notice of the intent to sue to the  
27 Attorney General of Alaska.

28 (b) Subject to appropriation, as necessary, up to 50 percent and not less than  
29 25 percent of any fines, penalties, or other funds recovered as a result of enforcement  
30 of this chapter shall be paid to the person or entity, other than the defendant, providing  
31 information sufficient to commence an investigation and enforcement of this chapter

1 under this provision.

2 \* Sec. 8. AS 46.03.480 is amended as follows:

3 Sec. 46.03.480 is amended by adding a new subsection to read:

4 (d) An additional fee in the amount of \$4 per berth, is imposed on all large  
5 commercial passenger vessels, other than vessels operated by the state, for the purpose  
6 of operating the Ocean Ranger program established in AS 46.03.476; said program  
7 shall be subject to legislative appropriation.

8 Sec. 46.03.480(d) shall be repealed and reenacted as AS 46.03.480(e).

9 \* Sec. 9. AS 46.03.760 is amended as follows:

10 Sec. 46.03.760 is amended by adding a new subsection to read:

11 (f) An owner, agent, employee, or operator of a commercial passenger vessel,  
12 as defined in AS 43.52.095, who falsifies a registration or report required by  
13 AS 46.03.460 or 46.03.475 or who violates or causes or permits to be violated a  
14 provision of AS 46.03.250 - 46.03.314, 46.03.460 - 46.03.490, AS 46.14, or a  
15 regulation, a lawful order of the department, or a permit, approval, or acceptance, or  
16 term or condition of a permit, approval, or acceptance issued under AS 46.03.250 -  
17 46.03.314, 46.03.460 - 46.03.490, or AS 46.14 is liable, in a civil action, to the state  
18 for a sum to be assessed by the court of not less than \$5,000 nor more than \$100,000  
19 for the initial violation, not more than \$10,000 for each day after that on which the  
20 violation continues, and that shall reflect, when applicable,

21 (1) reasonable compensation in the nature of liquidated damages for  
22 any adverse environmental effects caused by the violation, that shall be determined by  
23 the court according to the toxicity, degradability, and dispersal characteristics of the  
24 substance discharged, the sensitivity of the receiving environment, and the degree to  
25 which the discharge degrades existing environmental quality; for a violation relating to  
26 AS 46.14, the court, in making its determination under this paragraph, shall also  
27 consider the degree to which the discharge causes harm to persons or property; this  
28 paragraph may not be construed to limit the right of parties other than the state to  
29 recover for personal injuries or damage to their property;

30 (2) reasonable costs incurred by the state in detection, investigation,  
31 and attempted correction of the violation;

1 (3) the economic savings realized by the person in not complying with  
2 the requirement for which a violation is charged; and

3 (4) the need for an enhanced civil penalty to deter future  
4 noncompliance.

5 Sec. 46.03.760(f) shall be repealed and reenacted as AS 46.03.760(g).

6 \* Sec. 10. AS 45.50.474 is repealed and reenacted to read:

7 Sec. 45.50.474. Required disclosures in promotions and shoreside sales on  
8 board cruise ships. (a) A person may not conduct a promotion on board a cruise ship  
9 that mentions or features a business in a state port that has paid something of value for  
10 the purpose of having the business mentioned, featured, or otherwise promoted, unless  
11 the person conducting the promotion clearly and fully discloses orally and in all  
12 written materials used in the promotion that the featured businesses have paid to be  
13 included in the promotion. All such written notice of disclosure shall be in a type not  
14 less than 14-point typeface and in a contrasting color calculated to draw attention to  
15 the disclosure.

16 (b) A person or other entity aboard a cruise ship conducting or making a sale  
17 of tours, flightseeing operations, or other shoreside activities to be delivered by a  
18 vendor or other entity at a future port of call shall disclose, both orally and in writing,  
19 the amount of commission or percentage of the total sale retained or returned to the  
20 person making the sale. The person or entity aboard a cruise ship making or  
21 attempting to make a sale of services or goods provided by a shoreside vendor shall  
22 disclose the address and telephone number of the shoreside vendor if asked by a  
23 consumer. All such written notice of disclosure shall be in a type not less than 14-  
24 point typeface and in a contrasting color calculated to draw attention to the disclosure.

25 (c) Each violation of this section constitutes an unfair trade practice under  
26 AS 45.50.471, and shall result in a penalty of not more than \$100 for each violation. In  
27 this section, "cruise ship" means a ship that operates at least 48 hours in length for  
28 ticketed passengers, provides overnight accommodations and meals for at least 250  
29 passengers, is operated by an authorized cruise ship operator, and is certified under the  
30 International Convention for the Safety of Life at Sea or otherwise certified by the  
31 United States Coast Guard.

1    \* Sec. 11. The uncodified law of the State of Alaska is amended by adding a new section to  
2 read:

3           SEVERABILITY. It is the intention of the people of Alaska that any portion of this  
4 legislation that is declared unlawful shall be stricken in a manner that preserves the remaining  
5 portion of the remaining legislation to the maximum extent possible.

6    \* Sec. 12. EFFECTIVE DATE. This Act takes effect 90 days after enactment.

## The Alaska Statutes - 2006

### Sec. 46.03.462. Terms and conditions of discharge permits.

(a) An owner or operator may not discharge any treated sewage, graywater, or other wastewater from a large commercial passenger vessel into the marine waters of the state unless the owner or operator obtains a permit under AS 46.03.100, which shall comply with the terms and conditions of vessel discharge requirements specified in (b) of this section.

(b) The minimum standard terms and conditions for all discharge permits authorized under this section require that the owner or operator

(1) may not discharge untreated sewage, treated sewage, graywater, or other wastewaters in a manner that violates any applicable effluent limits or standards under state or federal law, including Alaska Water Quality Standards governing pollution at the point of discharge;

(2) shall maintain records and provide the reports required under AS 46.03.465(a);

(3) shall collect and test samples as required under AS 46.03.465 (b) and (d) and provide the reports with respect those samples required by AS 46.03.475 (c);

(4) shall report discharges in accordance with AS 46.03.475 (a);

(5) shall allow the department access to the vessel at the time samples are taken under AS 46.03.465 for purposes of taking the samples or for purposes of verifying the integrity of the sampling process; and

(6) shall submit records, notices, and reports to the department in accordance with AS 46.03.475 (b), (d), and (e).

**TEMSCO**  
**HELICOPTERS, INC.**  
P.O. BOX 5057 • KETCHIKAN ALASKA 99901-0057

KETCHIKAN: (907) 225-5141  
FAX: (907) 225-2340  
PETERSBURG: (907) 772-4780  
SKAGWAY: (907) 983-2909  
JUNEAU: (907) 789-9501

February 18, 2009

RECEIVED

FEB 18 2009

Senator Bert Stedman  
P.O. Box 110001  
Capitol Building, Room 516  
Juneau, AK 99811-0001

Dear Senator Stedman:

Thank you for your support of the Cruise Line Industry in our state. The continued growth and sustainability of the Cruise Industry is important to us as a business and to the community that we live in.

The proposed changes to the wording that HB 134 addresses will allow ADEC to use science for determining safe discharge limits. The people and business that will be hurt by this permitting process is Alaskan's. The language that is now in the initiative may cause a decrease in port times and that will have an adverse impact on our business and many other businesses not only in our community but throughout the state.

I do not think the intention of the initiate nor of Alaskans was to cause one industry to be treated less favorably than another nor to have discharge limits that not even Alaska communities are held accountable to or could meet for "End-of-pipe" effluent limits.

I ask for your continued efforts and support as this bill moves through the legislative process.

Respectfully,

Joe Hicks, General Manager

  
cc: House of Representatives

Senate

Governor's Office



1910 Renshaw Wv. Juneau. Alaska • Phone 907 790-4530

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FEB 18 2009

February 17, 2009

Representative Cathy Munoz  
P.O. Box 110001  
Capitol Building, Room 409  
Juneau, AK 99811-0001

Dear Representative Munoz:

Thank you for your support of HB 134 and the work that you did to introduce the bill in Committee. The continued growth and sustainability of the Cruise Industry is important to our business and the well being of our employees.

The proposed changes to the wording that HB 134 addresses will allow ADEC to use science for determining safe discharge limits. The original language in the initiative may cause a decrease in port times and that will have an adverse impact on our business as we rely on the current port times so that our guests are able to fully enjoy the product we offer. Should the proposed language in HB 134 not get passed through the legislature then ships will have to travel outside of Alaskan Waters to discharge waste and this will most likely affect businesses and local revenues.

I do not think the intention of the initiate nor of Alaskans was to cause one industry to be treated less favorably than another nor to have set limits that not even Alaska communities are held accountable to.

We encourage a vote in favor of the bill and thank you again for your support.

Respectfully,

Craig Jennison, General Manager

cc: House of Representatives  
Senate  
Governor's Office



1429 Tongass Avenue, Ketchikan, AK 99901 Phone: 907.225.0999 Fax: 907.247.6042

*cc Darwin  
Weston*

February 17, 2009

Senator Bert Stedman  
P.O. Box 110001  
Capitol Building, Room 516  
Juneau, AK 99811-0001


Dear Senator Stedman:

Thank you for your continued support of our visitor industry and specifically the cruise line industry. The continued growth and sustainability of the Cruise Industry is important to us as a business and to the community that we live in.

The wording that HB 134 proposes changing gives ADEC back the authority to do their job and corrects the error in the Initiatives original wording. As a business that provides water hook-ups for the vessels while in our port, it is shocking that the water we sell the Cruise Ships under the original Initiative would be illegal for the lines to discharge in Alaska waters.

Thank you again for your support.

Respectfully,

  
Ethan Berto, President

cc: Senate and Governors Office

cc Darwin  
Weston



**Amak  
Towing  
Company, Inc.**

1429 Tongass Avenue, P.O. Box 8080,  
Ketchikan, Alaska 99901 Phone 907 225-8847

February 17, 2009

Senator Bert Stedman  
P.O. Box 110001  
Capitol Building, Room 516  
Juneau, AK 99811-0001

Dear Senator Stedman:

Thank you for your long standing and continued support of the Cruise Line Industry. I am asking you to continue to support the language that is in HB 134 as the bill moves through committees and comes before the Senate. As the manager of a business that deals with regulations I would hope that we as a State do not discourage nor treat one industry different from others when applying for discharge permits.

The language that HB 134 addresses changing from the original initiative is what I believe the voters understood they were passing in 2006. I do not believe that any Alaskan resident had the intention to treat the Cruise Industry any less favorably than other communities or industries.

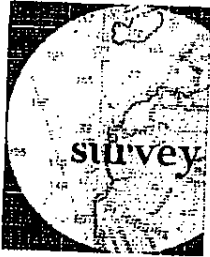
I ask that you work diligently to see that the language changes offered in this bill are moved forward through the full legislature.

Respectfully,

John A. Thompson, General Manager

cc: Senate  
Governor's Office

*cc Weston  
Darwin*



survey point holdings

*incorporated*

P.O. Box 8080, KETCHIKAN, AK 99901 ♦ 907.247.6157 PHONE 907.225.8254 FAX

February 17, 2009

Senator Bert Stedman  
P.O. Box 110001  
Capitol Building, Room 516  
Juneau, AK 99811-0001

Dear Senator Stedman:

Thank you for your continued support of our visitor industry and specifically the cruise line industry. HB 134 is important to well-being of this company and the people that work for us.

The wording that HB 134 proposes to change will have a positive and long term impact on the coastal communities and all of Alaska. Thank you for recognizing that we have no legitimate basis for treating cruise ships less favorably than other communities or industries seeking discharge permits.

Thank you again for your support.

Respectfully,

A handwritten signature in black ink, appearing to be 'Bob Berto', written over a horizontal line.

Bob Berto, President

CC: SENATE AND GOVERNORS OFFICE

*2009-02-17-16-44-58*

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APR 13 2009

Re: HB134

Hi, my name is Geraldine Ann Gray. I currently live in Juneau, Alaska. I grew up between Sitka, Mt. Edgecumbe, Hoonah & Metlakatla, Alaska. I am so very fortunate to have family in all these towns as well as Angoon and Yakutat.

My family on both sides have gathered our traditional foods from time immemorial. Our foods are as much a part of our culture today as they have been for our ancestors. We gather most of it from the ocean/sea.

I urge the committee to amend HB134 Section (e) in 3-5 years.  
A deadline of 3-5 years is reasonable, realistic and absolutely necessary.  
A deadline is the only incentive for compliance.

**PROTECT our traditional food gathering areas and our fisheries from the many chemicals and heavy metals in cruise ship waste water.**

Only God and the one who is "dumping" the waste water and chemicals know what is exactly being put into our precious waters. This is not even taking into consideration what is washing ashore onto our plant life and our deer are eating.

I would personally like to know ( I am sure I am not the only one) on how and when the cruise ship/other large ships dumping of the **chemicals and waste waters** correlate to when we started losing so many to cancers and other illnesses. It has been on the rise more and more from Metlakatla to Yakutat.

Thank you for your time.

Geraldine Ann Gray  
4304 Taku Court  
Juneau, Alaska

**BUSINESS COMPUTER SYSTEMS INC.  
P.O. BOX 7856  
KETCHIKAN, AK 99901**



February 18, 2009

*cc Weston  
Darwin*

RECEIVED  
FEB 19 2009

Representative Kyle Johansen  
P.O. Box 110001  
Capitol Building, Room 204  
Juneau, AK 99811-0001

Dear Representative Johansen:

Thank you for the work you did on HB 134 and your long standing and continued support for the Cruise Line Industry. As the manager of a local business my clients and as a result myself depend on the continued vitality of the Cruise Industry.

If the language of the initiative that states "end-of-pipe" effluent limits that the voters passed in 2006 is not changed and I believe was not intended; then the communities of Alaska may suffer from shorter port times which could result in a loss of business to my self and others directly and indirectly dependant upon the Cruise Industry. I do not believe that the intention of the bill was to treat one industry less favorably than others when applying for discharge permits.

I encourage the committee to vote in favor of this bill.

Respectfully,

Mike Lyshol, General Manager

cc: House of Representatives

2009-02-19-10-10-29

cc Weston  
Darwin

RECEIVED

FEB 19 2009



2.5 Miles South Tongass Highway  
P.O. Box 8080  
Ketchikan, AK 99901

Phone 907.225.6697  
Fax 907.225.6693

Representative Kyle Johansen  
P.O. Box 110001  
Capitol Building, Room 204  
Juneau, AK 99811-0001

Dear Representative Johansen:

Thank you for the work you did on HB 134 and your long standing and continued support for the Cruise Line Industry. As the manager of a local business my clients and as a result myself depend on the continued vitality of the Cruise Industry.

If the language of the initiative that states "end-of-pipe" effluent limits that the voters passed in 2006 is not changed and I believe was not intended; then the communities of Alaska may suffer from shorter port times which could result in a loss of business to my self and others directly and indirectly dependant upon the Cruise Industry. I do not believe that the intention of the bill was to treat one industry less favorably than others when applying for discharge permits.

I encourage the committee to vote in favor of this bill.

Respectfully,

A handwritten signature in black ink, appearing to read "Mike Lyshol", is written over the typed name.

Mike Lyshol, General Manager

cc: House of Representatives

2009-02-19-10-10-57



~~RECEIVED~~

~~FEB 18 2009~~

RECEIVED

FEB 19 2009

February 18, 2009

Senator Bert Stedman  
P.O. Box 110001  
Capitol Building, Room 516  
Juneau, AK 99811-0001

Dear Senator Stedman:

Thank you for your continued support of the states visitor industry. The continued growth and sustainability of all tourism is important to us as a business and to the communities that we live in. Our company is in strong support of the language changes supported by HB 134, we think that this is what Alaskan's originally thought the initiative said.

I do not believe that the intention of the Initiative or Alaskans was to treat one industry less favorably than others when applying for discharge permits. An industry doing business in Alaska should not be held to standards that we as individual communities can not meet ourselves. By correcting the wording in the original bill DEC will have the tools to use the best available science, as they do with all industries in Alaska, for establishing safe discharge limits that will continue to protect Alaska's clean water.

I encourage all of you to support this bill.

Respectfully,

Debbie Azure  
Yacht Services of Alaska

cc: Senate  
Governor's Office

RECEIVED

FEB 19 2009



P.O. Box 102019•Anchorage•Alaska•Ph 907 272-7536

February 18, 2009

Honorable Bob Lynn  
House of Representatives  
P.O. Box 110001  
Capitol Building, Room 104  
Juneau, AK 99811-0001

Dear Representative Lynn:

I would like to ask for your support of the language changes proposed in HB 134 and to vote yes. Our company works closely with the Cruise Lines handling the Stevedoring work and providing heavy equipment needs they may have. Many of Alaska's communities depend on the job opportunities that the Cruise Industry has afforded us; a yes vote to remove those five words "at the point of discharge" from the original Initiative will go a long ways in showing support for continued investment by the Cruise Lines in our State.

I do not believe that the intention of the Initiative or Alaskans was to treat one industry less favorably than others when applying for discharge permits. An industry doing business in Alaska should not be held to standards that we as individual communities can not meet ourselves. By correcting the wording in the original bill DEC will have the tools to use the best available science, as they do with all industries in Alaska, for establishing safe discharge limits that will continue to protect Alaska's clean water.

I encourage you to support this bill for the benefit of all Alaskans.

Respectfully,

A handwritten signature in black ink, appearing to read "Bob Berte". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Bob Berte, Director

cc: House of Representatives  
Senate  
Governor's Office

RECEIVED

FEB 19 2009



4341 B Street, Suite 101 • Anchorage • AK • 99503  
Phone 907-562-8808

February 18, 2009

Honorable Bob Lynn  
House of Representatives  
P.O. Box 110001  
Capitol Building, Room 104  
Juneau, AK 99811-0001

Dear Representative Lynn:

I would like to ask for your support of the language changes to the Initiative passed in 2006 that are proposed in HB 134 and to vote yes. Our company handles all of the baggage screening and security needs in both Whittier and Seward for the Cruise Lines. The Initiative that was passed in 2006 contains language that could have long term negative effects on the sustainability of the Cruise Industry and consequently our company.

I do not believe that the intention of the Initiative or Alaskans was to treat one industry less favorably than others when applying for discharge permits. An industry doing business in Alaska should not be held to standards that we as individual communities can not meet ourselves. By correcting the wording in the original bill DEC will have the tools to use the best available science, as they do with all industries in Alaska, for establishing safe discharge limits that will continue to protect Alaska's clean water.

I encourage you to support this bill for the benefit of all Alaskans.

Respectfully,

A handwritten signature in black ink, appearing to read "Bob Berto".

Bob Berto, Director

cc: House of Representatives  
Senate  
Governor's Office