

A RESOLUTION OF THE HAINES BOROUGH ASSEMBLY URGING THE STATE OF ALASKA LEGISLATURE TO MODIFY THE CURRENT STATE STANDARDS GOVERNING THE DISCHARGE OF CRUISE SHIP WASTE WATER TO REFLECT FAIR STANDARDS BASED ON SCIENTIFIC EVIDENCE, AND FOR RELATED PURPOSES.

WHEREAS, during the 1990s, the size and number of cruise ships visiting Alaska coastal communities grew dramatically and became an increasingly important component of the local and regional economies; and

WHEREAS, in 1999, the Alaska Department of Environmental Conservation, U.S. Coast Guard, U.S. Environmental Protection Agency, members of the Southeast Conference, representatives of the cruise ship industry, and local concerned citizens formed a group to explore ways to improve environmental standards for the cruise ship industry in Alaska; and

WHEREAS, the Alaska Cruise Ship Initiative (ACSI) group was created in 2000 to

- 1) Identify waste streams from cruise ships,
- 2) Develop pollution prevention and waste management solutions,
- 3) Assess and verify compliance with volunteer wastewater sampling, and
- 4) Keep the Alaska public informed; and

WHEREAS, in late 2000, the ACSI commissioned a Science Advisory Panel with expertise in oceanography, bacteriology, chemistry, aquatic and human toxicology, marine biology, ecology and vessel engineering to address issues concerning treatment discharge, dispersion rate, and effects of wastewaters produced by commercial cruise ships; and

WHEREAS, the work of the groups noted above led to enactment of laws (AS 46.03.460 - AS 46.06.490) by the Alaska Legislature in 2001 establishing wastewater discharge standards for cruise ships and creating the Commercial Passenger Vessel Environmental Compliance Program; and

WHEREAS, in 2002, the Alaska Department of Environmental Conservation adopted regulations (18 AAC 69) to implement and interpret the laws enacted by the Legislature in 2001; and

WHEREAS, in 2004, the Alaska Legislature refined laws enacted in 2001 (AS 46.03.460 - AS 46.06.490); and

Resolution 09-03-151

Page 2 of 3

WHEREAS, in 2006, following a two-year rule-making effort, the Alaska Department of Environmental Conservation adopted regulations to interpret and implement the 2004 statutory changes; and

WHEREAS, the Alaska cruise ship industry has reportedly invested more than \$200 million to install some of the most advanced wastewater treatment systems in the world; and

WHEREAS, in 2006, following adoption of regulations by the Alaska Department of Environmental Conservation, Alaska voters approved an initiative further governing the operation and regulation of large cruise ships; and

WHEREAS, in March 2008, as a major step toward fulfilling the terms of the 2006 initiative, the Alaska Department of Environmental Conservation issued the first ever general permit for wastewater discharge from large cruise ships operating in Alaska waters; and

WHEREAS, according to the Alaska Department of Environmental Conservation, the standards imposed on cruise ships are far in excess of those imposed on shore-based municipal wastewater facilities, including the Haines Borough Wastewater Discharge, as was recognized in the Department of Environmental

Conservation press release announcing the March 2008 permit, which stated: "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. Even so, cruise ship discharges are expected to have trouble meeting water quality standards for four parameters - ammonia, copper, nickel and zinc;" and

WHEREAS, recognizing that it is currently unfeasible or impractical for the cruise industry to meet discharge standards for the ammonia, copper, nickel and zinc parameters, the Alaska Department of Environmental Conservation applied more lenient standards during the 2008 and 2009 seasons and postponed implementation of the stricter standards until the 2010 season; and

WHEREAS, water quality standards in Alaska contemplate the use of dilution factors, such as mixing zones or short-term variances, and are not applied at the point-of-release except in the case of the Alaska cruise ship wastewater standards; and

WHEREAS, the point-of-release standards could mean that beginning in 2010, cruise ships will have to defer all discharges until they are out of Alaska waters; and

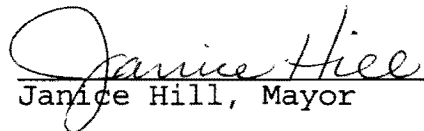
WHEREAS, compelling cruise ships to comply with unrealistic wastewater discharge standards not applied to other discharging entities within the State will ultimately force cruise ships to postpone discharge of wastewater until outside Alaska waters, which will likely shorten the time cruise ships are in port and result in fewer ports of call, which will negatively impact Haines and other southeast Alaska communities.

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH ASSEMBLY OF HAINES BOROUGH, ALASKA:

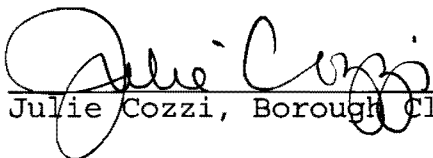
Section 1. That the Haines Borough urges the Alaska Legislature in 2009, to examine and adjust as required, based on science, the standards governing the discharge of cruise ship wastewater such that those standards will continue to protect aquatic life and the environment, but will not affect the Cruise Ship Industry in a manner that is technologically and financially unreasonable or impractical, and establish an effective date.

Section 2. Effective Date. This resolution shall be effective immediately upon adoption.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE BOROUGH ASSEMBLY OF THE HAINES BOROUGH, ALASKA, THIS 24th DAY OF MARCH, 2009.


Janice Hill, Mayor

ATTEST:


Julie Cozzi, Borough Clerk

