

**CITY OF GUSTAVUS, ALASKA
RESOLUTION CY22-09**

A RESOLUTION BY THE CITY OF GUSTAVUS OPPOSING HOUSE BILL NO. 303 AND SENATE BILL NO. 180 OF THE STATE OF ALASKA THIRTY-SECOND LEGISLATURE, BOTH BILLS TITLED “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”

WHEREAS, the City of Gustavus Vision Statement begins “We envision a distinctive community that prospers while, and by, protecting its natural resources”; and,

WHEREAS, the quality of the ocean waters within the Inside Passage of Southeast Alaska is vitally important to all aspects of life for residents of the area; and

WHEREAS, Southeast Alaska waters support a robust population of commercially valuable fish that are the backbone of the economy in the region and provide for resident subsistence harvest and the seafood commercially harvested from Southeast Alaska and shipped to markets both in the United States and beyond is known for its exceptional quality; and

WHEREAS, many tourists choose to visit Alaska to see and experience the pristine beauty of its waters and landscape; and

WHEREAS, the number and size of cruise ships plying the waters of Southeast Alaska has considerably increased over the past 10 years; and with the increased cruise traffic, large volumes of wastewater discharge are now being observed in Southeast Alaska waters; and

WHEREAS, the State of Alaska has for many years operated a very successful Ocean Rangers program which provides on-board monitoring and inspection of wastewater discharge and the funding for and emphasis on monitoring for wastewater discharge from large passenger vessels has been dramatically reduced; and

WHEREAS, the Administration of the State of Alaska now proposes a new Act (HB 303 & SB 180) 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; and

WHEREAS, the proposed legislation places emphasis for compliance on electronic monitoring, self-reporting and data submission; and

WHEREAS, the proposed legislation provides for Alaska Department of Environmental Conservation (ADEC) “inspectors” to board commercial passenger vessels and perform inspections and sampling to verify vessel discharge information without providing the source of funds to pay for the newly hired inspectors; and

WHEREAS, the proposed legislation is mute in regard to penalties for non-compliance which is an important deterrent to illegal discharges in Alaska waters; and

WHEREAS, the proposed legislation removes the rights of citizens to bring suit against an owner or operator of a large passenger vessel alleged to have violated any provision of the Commercial Passenger Vessel Environmental Compliance Program, or against the ADEC for failure to perform any act or duty outlined in the legislation; and

THEREFORE, BE IT RESOLVED, the Gustavus City Council opposes HB 303 and SB 180, and believes the proposed legislation will not result in improved compliance from commercial passenger vessels in the discharge of wastes into the inside waters of Southeast Alaska; and

BE IT FURTHER RESOLVED, the Gustavus City Council supports full funding and continuation of the Ocean Rangers program (Section 46.03.476 of the Commercial Passenger Vessel Environmental Compliance Program) until such time as comprehensive legislation can be drafted that improves upon the quality and compliance of the existing program. To protect Southeast Alaska waters, the new legislation must contain provisions for:

- Penalties for noncompliance;
- Adequate funding mechanisms to improve municipalities’ wastewater treatment/discharge systems that are impacted by the cruise industry;
- Continuation of a robust commercial passenger vessel waste discharge inspection program;
- Development of a public reporting system to allow Alaskans a clear and direct method of reporting illegal spills to the ADEC and a defined process for State response and investigation of reported spills;
- The ability of citizens to file suit for violations of the environmental compliance program; and
- A public notification program of inspection, testing and results.

PASSED and **APPROVED** by the Gustavus City Council this XXth day of April 2022, and effective upon adoption.



Mike Taylor, Mayor



Attest: Karen Platt CMC, City Clerk