



Regional Citizens' Advisory Council / "Citizens promoting environmentally safe operation of the Alyeska terminal and associated tankers."

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May 12, 2005

MEMBERS

Alaska State
Chamber of
Commerce

Senator Ted Stevens
United States Senate
522 Hart Building
Washington, DC 20510-0201

Alaska Wilderness
Recreation & Tourism
Association

Re: S. 363 "Ballast Water Management Act of 2005"

Chugach Alaska
Corporation

Dear Senator Stevens:

City of Cordova

I want to thank Rori Marston for taking the time to meet with me and my colleagues in late April. One of the topics of conversation was the invasive species issue as it relates to ballast water and current legislation. We spoke generally of our concerns and the issues we face in our region. We are highly concerned about the potential for invasion by non-indigenous marine species into Prince William Sound and other Alaskan waters through crude oil tanker ballast water discharges.

City of Homer

City of Kodiak

City of Seldovia

City of Seward

This letter is in reference to S. 363, "Ballast Water Management Act of 2005." We appreciate the efforts taken in this bill to outline a national ballast water management program. However, it does not go far enough in providing adequate protections against potentially harmful species arriving in ballast water, especially in Alaskan waters.

City of Valdez

City of Whittier

Community of
Chenega Bay

As we have expressed previously, one of the most disappointing aspects to the passage of the National Invasive Species Act (NISA) of 1996 was the exemption from voluntary ballast exchange/mandatory reporting requirements given to crude oil tankers in the coastwise trade. This was very alarming to us, given that Port Valdez is frequented on a regular basis by oil tankers and is the recipient of the third-largest volume of ballast water of any U.S. port. Although the number of tankers in the trade is slowly declining, as double hulls are introduced into the fleet, the volume of ballast water actually increases, increasing the threat of ballast water invasions.

Community of
Totitlek

Cordova District
Fishermen United

Kenai Peninsula
Borough

Kodiak Island
Borough

Because of the NISA exemption, our region has no protection from potentially harmful species arriving in ballast water on crude oil tankers. S. 363 continues to prolong this situation by setting out implementation dates that are, in our opinion, too late. For example, it took the European Green Crab, a devastating invasive species, about six years to migrate up the West Coast of the United States once it was discovered in San Francisco Bay (its original introduction has been attributed to ballast water transport of larvae). The European Green Crab is one of the priority species of concern to the state of Alaska, as its introduction and establishment could hurt commercial, tourism and subsistence interests

Kodiak Village Mayors
Association

Oil Spill Region
Environmental
Coalition

Prince William Sound
Aquaculture
Corporation


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significantly. The prolonged implementation schedule laid out in S. 363 only increases our chances of receiving this species, and other potentially harmful species into our waters.

Another aspect of this bill that concerns us is the section that describes the ballast water treatment requirements. We are supportive of ballast water programs that encourage creativity and offer incentives to shippers for developing ballast water treatment systems such as the Ozone testing program being conducted by British Petroleum and Alaska Tanker Company. The ballast water treatment standards in S. 363 are set high presumably to assure protectiveness, but it sets them far in the future and provides the potential for further delay. At the same time, the legislation does not permit ships to use best performing technologies to meet the standards. Instead, ballast water exchange, with all of its problems, is the only fall-back method allowed. Such a policy will not encourage development and use of more effective and efficient alternatives to ballast water exchange. There are many alternatives currently being considered by researchers, industry and state and federal agencies. This bill would be improved greatly if it outlined a more comprehensive ship vector program, and encouraged its development with a more realistic approach to meeting ballast water standards.

We welcome any opportunity to discuss these issues with you. Please feel free to contact Deputy Director, Marilyn Leland, in the PWSRCAC's Anchorage office at 907-277-7222.

Sincerely,


John S. Devens, Ph.D.
Executive Director

Cc: Senator Lisa Murkowski
Representative Don Young
Richard Ranger, Alyeska Pipeline Service Company