

C-SAW Alaska Cruise Ship Initiative Takes Sail

C-SAW has been charting a course towards a pollution-free cruise future since 1999, leading the effort towards passage of the only federal rule restricting cruise ship pollution in 2000, the first state statute (Alaska) in the U.S. in 2001, and working with the Alaska Department of Environmental Conservation in 2002 to draft the nation's first monitoring and reporting regulations for the industry. C-SAW also assisted the island of Molokai, Hawaii, in its successful effort to turn back the industry's invasion of the island in 2003, and worked with Bluewater Network and east coast activists to help pass the first cruise pollution laws in California and Maine in 2004.

Although a major step forward at the time, the 2001 Alaska law harbors several significant loopholes thanks to an 11th hour cruise-industry lobbying effort. To plug those statutory leaks, C-SAW, the Alaska-based Responsible Cruising in Alaska, and Bluewater Network launched a statewide initiative drive in 2003. The signature gathering effort, assisted greatly by the State's Native community, was successfully completed in October 2004. Alaska's Lt. Governor recently certified that the Cruise Ship Ballot Initiative (CSBI) petition was signed by enough registered Alaskan voters to be placed on the August 2006 general ballot.

The CSBI will set a national precedent by requiring cruise ships with greater than 250 berths to have wastewater discharge permits for all wastestreams and meet all State Water Quality Standards at the point of discharge. The Clean Water Act normally requires every major discharger of polluted wastewater to be permitted, but foreign flagged cruise ships, which transport thousands of passengers and crew and generate millions of gallons of contaminated wastewater, have hidden for over 20 years behind a federal permitting exemption intended for vessels with a handful of crewmen aboard. Cruise ship lobbyists successfully extended that exemption to circumvent Alaska's state-based permitting program despite the fact that virtually every major cruise line has been convicted of multiple felony charges for dumping and falsifying pollution discharge records in the last decade.

In addition to the new wastewater permit requirements, the initiative will set a fee of \$4 per passenger to support placing an independent licensed marine engineer on every ship to observe wastewater treatment practices, inspect pollution control equipment, sample ship discharges, and monitor shipboard health and sanitation practices. A citizen's suit provision in the CSBI will give Alaskans the power to sue the industry for failure to meet State standards, as well as sue the State for failure to enforce pollution rules.

The CSBI will establish a statewide excise tax of \$46 per passenger (~\$50 million /season) that will be shared between ports of call, industry-impacted communities that are not ports of call, and the State. Proposals to tax the industry and more comprehensively regulate their pollution have enjoyed broad support in recent years from Republicans and Democrats, as well as rural and urban Alaskans, but these efforts have consistently been blocked by members of the Alaska Legislature that receive significant campaign donations from the industry. The CSBI will also reinstate the industry's corporate income tax, repealed by the State Legislature in 1998, and require cruise ships to give 33% of their gambling profits to Alaska (the same percentage paid by other gaming operators for taxes and charitable purposes.)

Industry fear mongering has already begun, with threats of a pullout and declining passenger numbers. But such threats are baseless: Alaska represents nearly 10% of the industry's world-wide revenue and with the political turmoil in the Middle East, and SARS and Avian Flu outbreaks in S.E. Asia, more and more cruise passengers (75% Americans) want "safe", i.e., Coast Guard protected vacations. As a result the market has shifted heavily to the Alaska and Hawaii sectors in recent years.

The cruise lines recently hired an ex-Secret Service agent to inspect the petition signatures for forgeries, and sued the State to challenge its initiative certification procedures. The industry will no

doubt try anything to keep this measure off the ballot. Once Alaska tightens its pollution controls and implements reasonable taxes on the cruise industry, other States and countries won't be far behind.

According to C-SAW Director Gershon Cohen, "The industry is literally making billions of dollars in profits every year. They can afford to stop polluting, have their performance independently verified, and share more of the profits with communities that have to deal with this industrial scale tourism. When the CSBI passes Alaskans will get a fair monetary return from the industry's activities, and be able to keep Alaska's waters clean to support the State's fisheries resources as well as its independent travel industry."