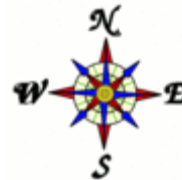


CSAW  
Campaign to Safeguard America's Waters



Earth Island Institute



*Responsible Cruising in Alaska*

July 1, 2008

Commissioner Larry Hartig  
Alaska Department of Environmental Conservation  
Post Office Box 111800  
Juneau, Alaska 99811-1800

Attorney General Talis Colberg  
Alaska Department of Law  
Post Office Box 110300  
Juneau, Alaska 99811-0300

**Re: Ocean Ranger Access Issues**

Dear Commissioner Hartig and Attorney General Colberg:

We recently received a copy of the June 23<sup>rd</sup> report by Crowley Marine Service's Ocean Ranger Manager Paul Johnson, describing the current status of the Ocean Ranger program in Alaska. According to report, it appears that 10 of 28 ships in the cruise ship fleet currently operating in Alaska are not providing Alaska's Ocean Rangers with sufficient access to the ships and ship personnel necessary to perform the environmental oversight functions delineated in State law. Mr. Johnson states in his report that access has been restricted to certain locations on the ship, Ocean Rangers have been refused permission to accompany the ship's Environmental Officers (EO,) the Ocean Ranger's time available to interact with the EO has been severely constrained, Ocean Rangers have been forbidden from asking questions of ship engineers responsible for certain ship equipment, and Ocean Ranger access has been restricted from logbooks, record books, equipment manuals, etc.

In fact, it appears to Mr. Johnson from interviews with individual Rangers that at least two lines (Holland America and Princess Cruises), have adopted internal guidelines or issued other criteria to cruise line staff "on how to restrict and control the observations of the rangers." Mr. Johnson is a highly respected marine engineer and former Port Engineer for the Alaska Marine Highway System with extensive maritime experience in Alaska. Mr. Johnson concluded his report by saying:

"I believe Alaskans will be offended when they learn that some cruise ships feel they have the right to restrict what and when the ranger is allowed to observe. These

practices will likely be interpreted by the public as an attempt to hide something.”

Mr. Johnson is correct. The conduct by at least some of the cruise lines operating in Alaska is offensive. More to the point, though, is that our organizations believe the industry may be hiding practices that would constitute a breach of the law and performance standards our state has adopted for the protection of Alaska’s waters and fisheries resources. It is ironic the industry recently embarked on a statewide series of “environmental tours” of selected ships with the overt purpose of convincing State lawmakers to remove pollution prevention components of the Alaska cruise ship law adopted in Alaska and effective since 2006. The industry appears to be violating the very law they claim is unnecessary, even as they try to convince lawmakers and the public that their performance in such matters is beyond reproach.

Alaska law (AS 46.03.476(b)) provides the Ocean Rangers with broad authority to access ship areas, equipment, and personnel as necessary for the satisfactory completion of their oversight role. Alaska law (AS 46.03.481(a)) also provides citizens of the State with the authority to commence civil actions against the owner or operator of a large passenger vessel alleged to have violated the provisions of the State’s cruise ship statute, and requires citizens to provide a 45-day notice to the State Attorney General of their intent to commence such an action.

This letter shall constitute notice that we intend to pursue civil actions against these alleged violators in 45 days. We respectfully request the State bring charges against the alleged violators pursuant to State law, and take immediate action to remedy the situation before these violations are committed again.

Thank you for your attention to this matter.

Sincerely,

Gershon Cohen PhD.,  
Project Director  
Campaign to Safeguard America’s Waters

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Mr. Theodore Thoma,  
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