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Outcry over mixing zones gives state officials pause

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Public response to a controversial set of proposed changes to state water quality standards appears to have given state environmental officials second thoughts about how or even whether to permit mixing zones in salmon streams.

Mixing zones are areas where polluted wastes, such as might be discharged by industrial plants or municipal wastewater treatment facilities, are flushed into waterways to be diluted in the current. They essentially allow a zone of higher pollution to exist beyond the terminus of a discharge pipe as long as the concentration of pollutants falls to a permitted level at the mixing zone boundary somewhere downstream.

Existing state standards absolutely prohibit mixing zones in areas of anadromous fish spawning, and discharged effluent must be acceptably free of pollutants at the end of the discharge pipe itself. Last year, the Alaska Department of Environmental

Conservation proposed relaxing the absolute prohibition in favor of regulations that would allow discharge of pollutants in certain circumstances, namely where the pollutant was known to do no harm to salmon, such as bacteria from municipal treatment plants; where discharges could be timed to avoid spawning periods; and where habitat improvements could be made so that discharges would produce no net impact on an area's ability to support spawning. Public reaction was largely negative and often loud.

The fishing industry, currently battling competition from farmed salmon interests by promoting Alaska's "pristine" waters, objected. Local government lawmakers, such as the Kenai Peninsula Borough Assembly and the city **councils** of Homer and Soldotna passed resolutions against the proposed changes. The **Cook Inlet Regional Citizens Advisory Council** warned DEC the proposed changes could nullify years of diligent work to avoid unnecessary pollutants from reaching Alaska's waters.

In a recent interview, Nancy Sonafrank, manager of DEC's Water Quality Standards Section, said the new rules, as originally proposed, would not go forward.

"We are making adjustments," she said Friday, adding DEC was readying a revised proposal that likely would be sufficiently different to require a new round of public comment sometime "in the reasonably near future." She declined to discuss details about how the new proposals would treat mixing zones in salmon habitat, but said they were in preparation.

There is no firm timetable yet for issuing the new proposed regulations. She said it would probably be a matter of weeks rather than months. Sonafrank did say there had been "lots of concerns" expressed in public testimony about mixing zones in spawning areas.

"I think the concept (in DEC) is to add additional protections," she said, noting DEC officials were working in consultation with officials with the Alaska Department of Fish and Game. Bob Shavelson, director of **Cook Inlet** Keeper whose primary focus is the **Cook Inlet** watershed, did not hold out much hope that the Murkowski administration's position would change much with a new set of regulations. "They are putting lipstick on a pig," he said. "The Murkowski administration still wants to dump toxic pollutants into Alaska salmon streams."

Hal Spence is a reporter for the Peninsula Clarion.