Cruise Ship Port Call History - Monterey

- Sep 2001 - Terrorist attacks in NY & DC impact domestic cruise ship patterns
- May 2002 - First cruise ship port call to Monterey - STAR PRINCESS
- Feb 2003 - MBNMS SAC recommends MBNMS regulation of CS discharges
- Trend (2003-2005) - 9-18 visits/year by multiple cruise lines
- Trend (2006-2013) - 2-3 visits/year by Celebrity
- Trend (2014-2018) - 7-12 visits/year by multiple cruise lines
- Cruise Lines - Celebrity, Royal Caribbean, Princess, Norwegian, H. America, Quest, Silver Sea, Hapaq Lloyd, Seaborne, Crystal, Oceania
Anchorages A and B - Monterey
Cruise Ship Discharge Compliance Enforcement

- Oct 2002 - First round-the-hull & anchor inspections by MBNMS & CDFG
- 2002-2005 - MBNMS reviewed cruise ship discharge logs sent to Monterey City
- Sep 2005 - First USCG/MBNMS onboard inspection at Monterey
- Goal - Raise the bar for environmental compliance within MBNMS
- Inspection Plan - Random short-notice inspections of visiting cruise ships
- Nov 2008 - New MBNMS regulatory restriction on cruise ship discharges
Title 15 Code of Federal Regulations, Section 922.132

It is prohibited and unlawful to discharge or deposit from within or into the sanctuary any matter or other material from a cruise ship except:

- Clean vessel engine cooling water
- Clean vessel generator cooling water
- Vessel engine or generator exhaust
- Clean bilge water
- Anchor wash
Monterey Bay National Marine Sanctuary

- **Area**: 6,094 square miles
- **Offshore Boundary**: Variable 10 – 58 miles
- **Shoreline Boundary**: 276 miles
Cruise Ship Inspections

- Unscheduled, random Monterey boardings - several per year
Cruise Ship Inspections

- Unscheduled, random Monterey boardings - several per year
- Coast Guard port inspection team w/ NOAA support
Cruise Ship Inspections

• Unscheduled, random Monterey boardings - several per year
• Coast Guard port inspection team w/NOAA support
• Inspect for unauthorized discharge of liquids or solids
Cruise Ship Inspections

- Unscheduled, random Monterey boardings - several per year
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- Inspect for unauthorized discharge of liquids or solids
- Ship log discrepancies and physical signs of bypass activity
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- Unscheduled, random Monterey boardings - several per year
- Coast Guard port inspection team w/NOAA support
- Inspect for unauthorized discharge of liquids or solids
- Ship log discrepancies and physical signs of bypass activity
Waste Streams Inspected With Ship’s Environmental Officer
Engine Spaces Inspected With Ship’s Chief Engineer & Environmental Officer
Waste Streams Inspected

- Oily Waste
- Black Water (sewage)
- Gray Water (sinks & showers)
- Desal & Water Purification
- Pool & Hot Tub Water
- Galley Waste
- Laundry & Dry Cleaning
- Recycled glass/plastics/paper
- Medical Waste
- Garbage
MBNMS
Inspection Findings

- Only one discharge incident detected in 14 years
Other Federal, State, & Local Agency Oversight
NO DISCHARGE ZONE
(All California State Waters)

(Effective March 28, 2012)
No discharge of sewage (treated or untreated) from Cruise Ships \(\geq 300\) gross tons
Overview

- Sector San Francisco Area of Responsibility
- Marine Safety Program
- Certificate of Compliance Exams
- Scope of Exam
- Environmental Considerations
- Deficiencies and Enforcement Actions
- USCG Maritime Information Exchange
Area of Responsibility

CA / OR Border

San Luis Obispo County Line
Marine Safety Program

- The Coast Guard’s Marine Safety Programs purpose is to interpret regulations and verify compliance with regulations to provide a safe voyage to all who sail aboard. This is accomplished by a timely, multi-faceted examination, which begins during the concept design phase.

- The USCG performs examinations to ensure FPVs continue to maintain all systems per applicable regulations. Examinations also ensure the systems examined during the Initial Control Verification Exam (ICVE) are maintained and the recognized organization (RO) and flag administration have performed annual renewal surveys as required by SOLAS: Consolidated Text of the International Convention for the Safety of Life at Sea, 1974, and its Protocol of 1988: Articles, Annexes, and Certificates, (Incorporating all amendments in effect from 1 July 2009), and International Maritime Organization (IMO) regulations.
Certificate of Compliance Examination

- Certificate of Compliance (COC) Examination
  - Initial, Annual & Periodic
- All foreign-flagged passenger vessels that embark passengers in the United States or make port calls in the United States with US citizens.
Annual Certificate of Compliance Exam

• Every 12 months.

• Includes 6 USCG Port State Control Examiners.

• Standard exams last between 5-8 hours.

• Performed to ensure all systems previously examined during the Initial COC continue to be maintained in proper operating condition; to verify that the flag Administration and/or RO have performed annual renewal surveys as required by SOLAS Chapter I, Regulation 7.
Periodic Certificate of Compliance Exam

• Quarterly; mandated semi-annually.

• Includes 6 USCG Port State Control Examiners.

• Standard exams last between 3-4 hours.

• Performed to ensure the performance of crew, with specific attention to training and knowledge of ships emergency procedures, firefighting, lifesaving systems, and performance during drills. Also conduct a general walk through of the vessel to ensure the absence of safety hazards as well as question crewmembers at random to ensure they know their responsibilities and conduct an environmental waste stream audit.
Scope of Exams

- Ship’s Documents
- Bridge Safety and Navigation Equipment
- Security Systems
- Firefighting
- Fire and Abandon Ship Drill w/Passenger Muster
- Environmental
- Machinery Systems
- Survival Equipment
Environmental Considerations

- Waste Streams
  - Verify vessel is operating per its waste management procedures
- Oil Pollution Prevention
- Grey Water/Black Water Discharge
- Hazardous Waste Handling
- Garbage Management Plan
Deficiencies and Enforcement

- **Minor Deficiencies**
  - Corrected on the spot.
  - Correct within 30 days.

- **Major Deficiencies**
  - Correct prior to movement and/or departure.

- **Certificate of Compliance (COC) Revocation**
  - Ship is no longer able to carry passengers for hire within U.S. waters.

- **Notice of Violation**
  - Financial penalty for non-adherence to US Laws.

- **Civil Penalty (Class I/II)**
  - Most serious cases. Involves court hearings/federal judges.
USCG Maritime Information Exchange

• Coast Guard maritime information available on the public internet in the form of searchable databases.

• Port State Information Exchange

➢ Search both open and closed cases for Foreign Vessel operating in U.S. waters.

https://cgmix.uscg.mil/
What is a Pilot?

• A marine pilot is a licensed mariner who navigates ships through environmentally sensitive, dangerous, or congested waters. They are navigational experts possessing knowledge of the particular waterway such as its depth, currents, and hazards.
San Francisco Bar Pilots

• **AT A GLANCE:** The San Francisco Bar Pilots are highly skilled master mariners, who guide commercial ships into and out of San Francisco and Monterey Bays to as far as Stockton and Sacramento. Established in 1850 by California’s first legislature, the Bar Pilots have been on the front lines of protecting Northern California’s pristine waters since the days of the gold rush.

Pilots assume full navigational control of the ship and exercise independent judgement and expertise. They are on board to protect the public’s interests, which includes the safe navigation of the vessel while in state waters.

Pilots are licensed by the United States Coast Guard and the State of California.
Approach and Anchoring in Monterey
March 24, 1989
T/V Exxon Valdez

February 7, 1990
T/V American Trader
OSPR’s MISSION

- Prevention
- Preparedness
- Response
- Restoration
What about “Prevention”? 

- Situational Awareness/Risk Analysis
- Interagency Liaison
- Harbor Safety Committees
- Best Practices
- Education / Outreach
- Regulatory Requirements
- Inspection/ Verification
and “Preparedness”?

- Contingency Plans (Fleet/Vessel), California Specific, approved by OSPR
- Qualified Individuals (Q.I.’s) and Spill Management Teams
- Oil Spill Response Organizations (OSRO’s)-Rated by OSPR
- Salvage/Marine Firefighting Contractor (Salvor)-Rated by OSPR
- Certificates of Financial Responsibility (COFR’s) California Specific, issued by OSPR
- Regional/Area Contingency Plans
  - Geographic Response Areas
  - Sensitive Sites
- Drills and Exercises
- Local Agency Engagement/Support
  - Grant Trailers in Monterey, Santa Cruz
- Outreach-Symposia/Workshops
What is required of a cruise ship in Monterey Bay (per OSPR regs)?

- Advance Notice of Arrival *
- Approved California Oil Spill Response Plan *
- Subject to Inspection / Verification *
- Contracted Q.I. *
- Contracted OSRO *
- Contracted Salvor *
- Current COFR **
- Standby Crew/Vessels/Equipment
  - “Operating” in designated areas ***

* Required of all ships (300 Gross tons or more) operating in California Waters
** Owners or operators of nontank vessels shall demonstrate their current financial ability to pay at least $300 million dollars ($300,000,000)
### SHORELINE PROTECTION TABLE - S.F. SECTOR - MONTEREY ANCHORAGE A  
8/2013

<table>
<thead>
<tr>
<th>Site Name</th>
<th>Harbor</th>
<th>Swarm</th>
<th>Other</th>
<th>Sunken</th>
<th>Anchoring Systems</th>
<th>Beam</th>
<th>Skiffs</th>
<th>Stimmons</th>
<th>Special Equipment and Notes</th>
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<tr>
<td>2 3-360.1 Monterey State Basin</td>
<td>5400</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>10</td>
<td></td>
<td></td>
<td>12</td>
<td>on water response only; see shoreline protection feasible</td>
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<tr>
<td>2 3-370.1 Monterey Harbor Entrance</td>
<td>3400</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>7</td>
<td>2</td>
<td></td>
<td>6</td>
<td>2 mooring weights with buoys</td>
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<tr>
<td>3 3-375.1 USCG Jetty in Monterey Bay</td>
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<td>0</td>
<td>0</td>
<td>3</td>
<td>2</td>
<td>1</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>4 3-390.1 Monterey Bay Dunes</td>
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<td>0</td>
<td>0</td>
<td>8</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>5 3-390.1 Point Gravillo</td>
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<td>0</td>
<td>0</td>
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<td>0</td>
<td>0</td>
<td>8</td>
<td></td>
<td></td>
<td>10</td>
<td>on water response only; see shoreline protection feasible</td>
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<tr>
<td>16 3-340.2 Salinas River Inlet</td>
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<td>0</td>
<td>0</td>
<td>8</td>
<td></td>
<td>1</td>
<td>10</td>
<td>4 Stakes &amp; 4 Danfords</td>
</tr>
<tr>
<td>17 3-325.1 Salinas River State Beach</td>
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<td>0</td>
<td>0</td>
<td>0</td>
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<td>23 3-301.1 Edgewood Beach St. Park</td>
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<td>0</td>
<td>5</td>
<td></td>
<td>1</td>
<td>5</td>
<td>Anchor posts or stakes</td>
</tr>
</tbody>
</table>
Oiled Wildlife Care Network/
Marine Wildlife Veterinary Care
and Research Center (Santa Cruz)
California Marine Invasive Species Program

• Multi-agency, statewide program
• Prevent invasive species introductions from large, commercial vessels
Cruise Vessels in California

- 6.3% of all arrivals statewide over last 2 years
- No reported discharge of ballast water in Monterey in last 10 years
  - No risk of ballast water introductions
- High risk of biofouling introductions
Compliance Assessment

- Pre-arrival risk assessment
- Notification of impending violation
- Vessel inspection
- Post arrival analysis of records
- Notice of Violation
Enforcement

• Penalty-based enforcement program implemented in July 2017
• 20 enforcement actions to date
• 3 cruise vessel violations
  – Penalty range $60,000 - 120,000
  – No violations in Monterey Bay

More information www.slc.ca.gov
What is MBARD?

- A government agency responsible for air monitoring, permitting, enforcement, long-range air quality planning, regulatory development, education and public information activities related to air pollution.

- The Mission of the Monterey Bay Resources District is to Protect the Public Health while balancing Economic and Air Quality Considerations.
Air Pollution

• Criteria Pollutants:
  – Ozone
  – Particulate Matter
  – Nitrogen Oxides
  – Sulfur Oxides
  – Lead
  – Carbon Monoxides

• Toxics/Hazardous Air Pollutants

• Green House Gases
Rule 400 - General Visible Emission Limitations

- A person shall not discharge into the atmosphere from any emission source whatsoever any air contaminant for a period or periods aggregating more than three minutes in any one hour, which is as observed using the appropriate test method as dark or darker in shade as that designated as No. 1 on the Ringelmann Chart, as published by the United States Bureau of Mines...
• Rule 402

  – No person shall discharge from any source whatsoever such quantities of air contaminants or other materials which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public; or which endanger the comfort, repose, health, or safety of any such persons or the public; or which cause, or have a natural tendency to cause, injury or damage to business or property. {HSC Section 41700}
Air Quality Regulations

- New At-Birth Regulations for Diesel Engines (ATCM)
- Oceangoing Ship Onboard Incineration (ATCM)
- Ocean-Going Vessels - Fuel Rule
Monterey Harbor

• Letter of Agreement – Cruise Ships

LETTER OF AGREEMENT
CRUISE SHIP VISITATIONS

This agreement outlines the responsibilities for the vessel (SHIP) while visiting Monterey and utilizing CITY services on the following date(s): [Date(s)]. It is in consideration of CITY allowing SHIP to use its shore boats to enter within the jurisdiction of its waters, SHIP hereby agrees as follows:

I. DISCHARGES IN THE MONTEREY BAY NATIONAL MARINE SANCTUARY

A. SHIP agrees that it will withhold all discharges, to include all gray, black, bilge, hazardous waste (photo processing, dry cleaning etc.), solid wastes, sludge and ballast waters, while it operates or resides within the boundaries of the Monterey Bay National Marine Sanctuary (MBNMS). Engine cooling water may be discharged. SHIP agrees to withhold all other discharges while within the MBNMS boundaries.

II. REPORTING PROCEDURES

A. The SHIP Captain, or his designate, immediately upon leaving the boundaries of the MBNMS, shall provide a verbal report via radio or telephone to the Monterey HarborMaster’s Office as to whether or not any discharges occurred. Two phone numbers are available for reporting: 831/964-7706, or 831/646-2005. The second number accepts messages.

B. The SHIP shall provide a written report to the CITY within 14 days of the SHIP departure from Monterey, detailing any discharges that occurred. This report may be provided by fax to the HarborMaster@MontereyHarbor.org, or by email to City of Monterey, HarborMaster, City Hall, Monterey, CA 93940, or by email to both of the following addresses: haynes@monterey.org and nelson@monterey.org.

C. Should any discharge occur which violates the terms of this agreement, the ship shall immediately report where and when the discharge occurred, how much material was discharged and the circumstances of the discharge.

III. INDEMNIFICATION/INSURANCE

SHIP hereby agrees to defend and hold CITY, its officers, agents and employees, harmless from any and all liability, suit, cause of action, or other claim or legal proceeding, including but not limited to any fines, clean-up charges or other liability, including but NOT limited to attorney’s fees, caused by SHIP’s release of unacceptable discharges and/or contaminants within the MBNMS boundaries. SHIP shall maintain adequate liability and property damage insurance in full force and effect during the period of performance of this Agreement.

IV. SHORE STAFFING

SHIP shall provide a sufficient number of crew members at or about the Fisherman’s Wharf Visitor Deck, for passenger loading and unloading, to assure the comfort, safety and security of the passengers, including those with physical disabilities.

V. PASSENGER LANDING FEE

A. SHIP agrees to pay the CITY a sum of seven dollars ($7.00) per passenger, per day. In the event there is less than 350 passengers the minimum daily rate shall be ($2,450).

B. SHIP, or its designated agent, shall make payment before departure of SHIP, unless prior arrangements agreeable to the CITY have been made.

VI. LETTER OF AGREEMENT (COMMUNICATION)

A. SHIP, or its designated agents, shall provide a copy of this, “LETTER OF AGREEMENT” to the designated vessel(s) senior staff and be available for inspection on the vessel(s) prior to entering the Monterey Bay National Marine Sanctuary while in route to the PORT OF MONTEREY. Senior Ship Staff shall be responsible acknowledging this document and executing the terms of this agreement.

VII. CONSEQUENCES

In addition to the indemnification provisions set forth in Section III above, it shall be understood that if SHIP violates this written agreement with the CITY, that the CITY will not welcome it and reserves the right to withhold all CITY services for future visits of SHIP.

The undersigned are in agreement with the terms and content of the responsibilities outlined in this Letter of Agreement.

Date: ____________________  By: ____________________

Date: ____________________  By: ____________________

(SHIP’S SENIOR STAFF OFFICER)
Monterey Harbor

• Letter of Agreement – Cruise Ships
  – Restates and Reinforces MBNMS Discharge Regulations
  – Reporting Procedures
  – Indemnification/Insurance
  – Shore Staffing
  – Passenger Landing Fee
  – Senior Ship Staff Communication
  – Consequences
Ship agrees to withhold all discharges within MBNMS, including (but not limited to) gray water, black water, bilge, hazardous waste, solid waste, sludge, and ballast waters. Only exception: engine cooling water.

Ship must certify to the City (by phone), immediately upon leaving the boundaries of MBNMS, whether or not any discharges occurred within MBNMS during the ship's transit to/from Monterey.

In addition to the notice in bullet 2 above, within 14 days of the ship's departure, the ship shall send a written report to the City detailing any discharges that occurred. The report can be submitted by fax or email.

In the event of a discharge, the ship shall immediately report location, date, time, type of material, volume, and circumstances leading to the discharge.
Ways to Learn More

- A video recording of tonight’s presentation and Q&A period will be available on-line at:
  
  https://monterey.org/City-Hall/The-Monterey-Channel

- Send any questions not addressed during tonight’s session by email no later than Monday, July 15, 2019 to:

  suggest@monterey.org