

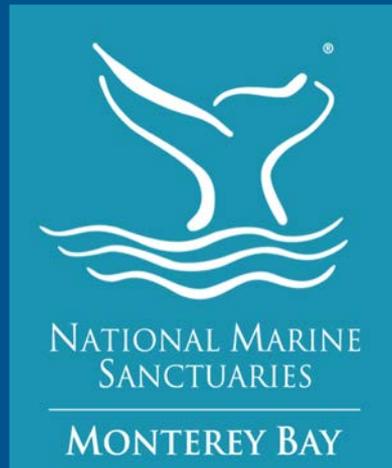
Cruise Ship Regulation & Oversight Informational Session



***NATIONAL OCEANIC &
ATMOSPHERIC ADMINISTRATION***

**MONTEREY BAY NATIONAL MARINE
SANCTUARY**

Scott Kathey

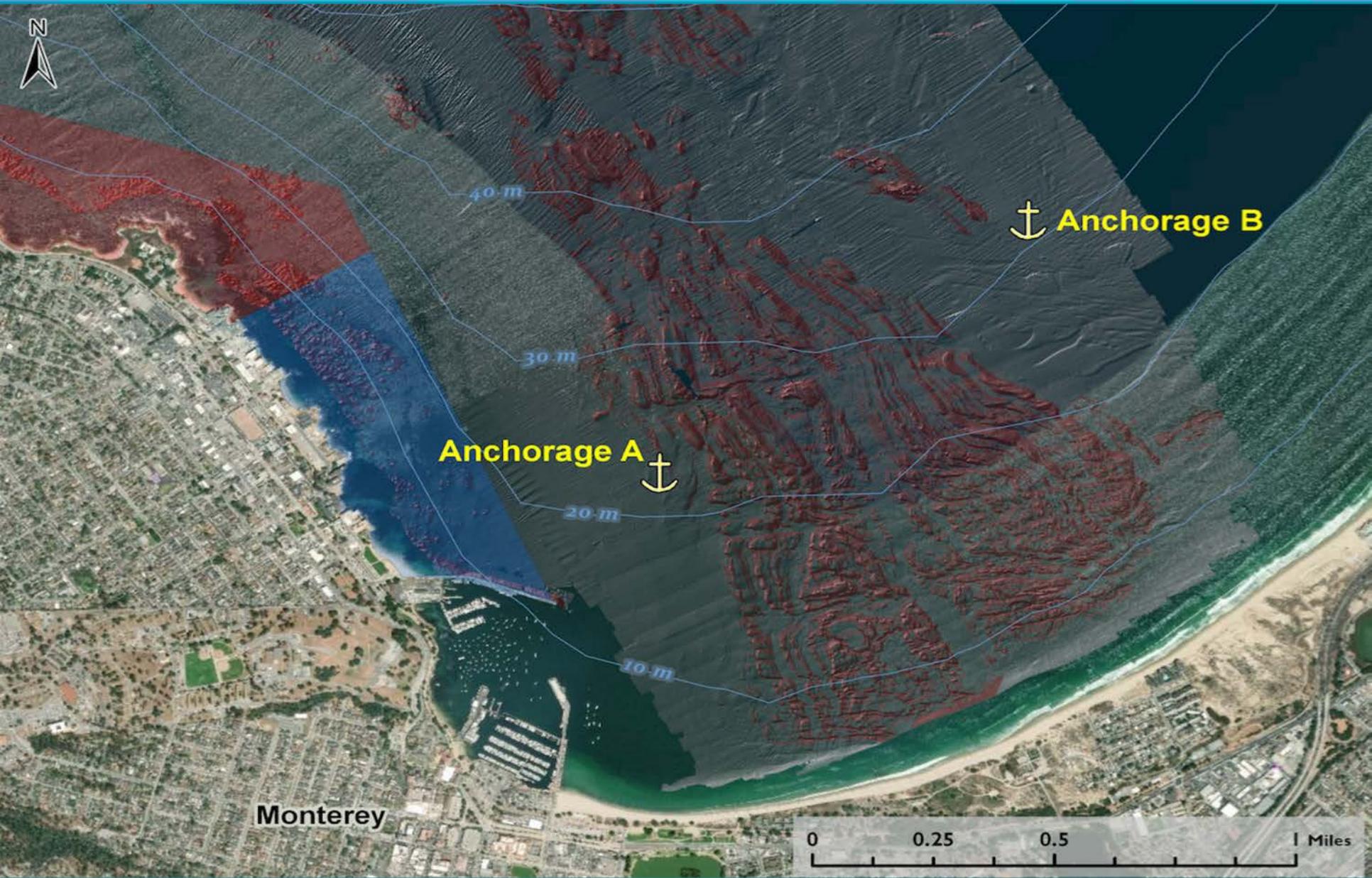


Cruise Ship Port Call History - Monterey

- ❖ 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



Anchorage 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



MBNMS

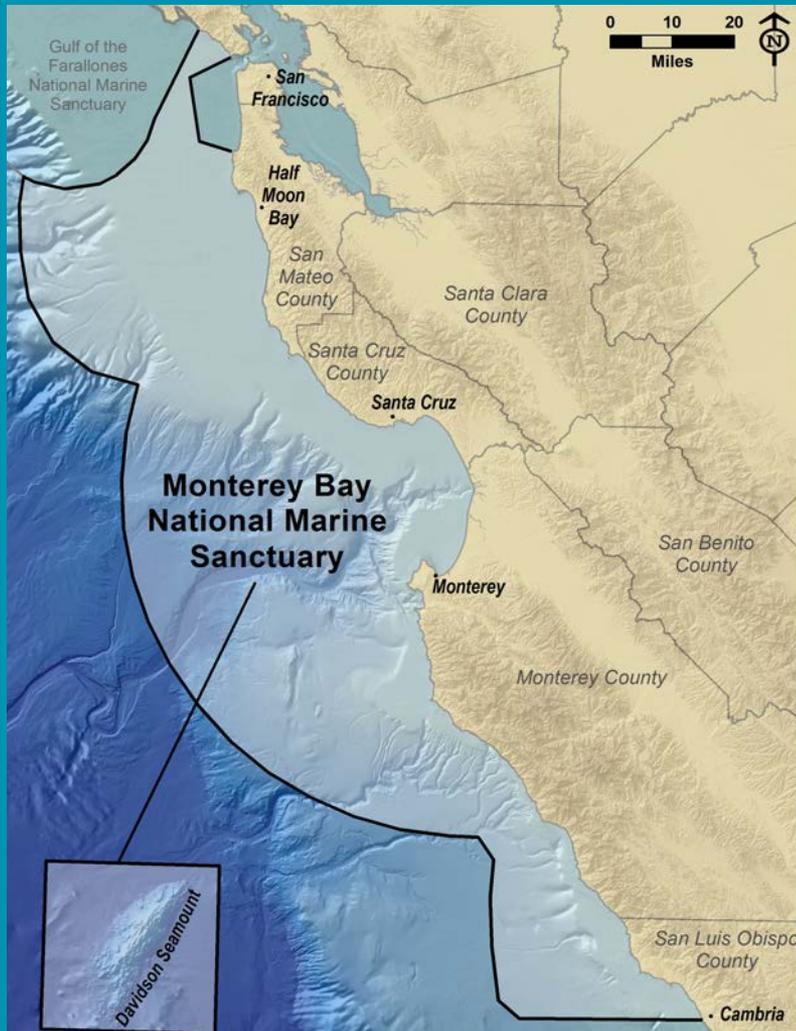
Cruise Ship Discharge Prohibition

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
- 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

Sewage and Graywater Discharge Record Book
for
All Waters

Vessel name: Celebrity INFINITY

Official Number: 9000049
IMO Number: 9189421

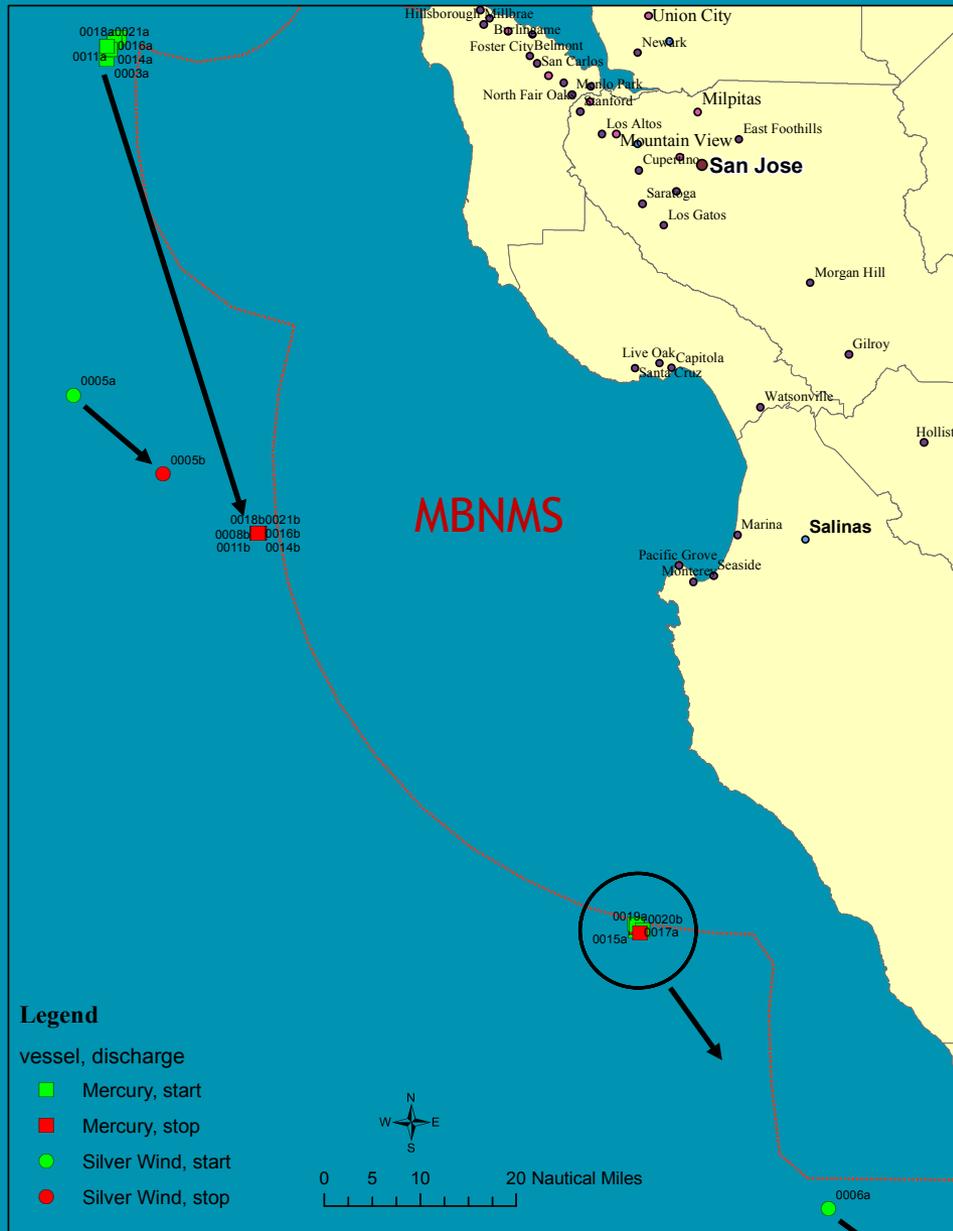
From: 13 MAY 2017 To: _____

This record book is designed to satisfy certain requirements of the United States Code of Federal Regulations, Title 33, Part 159, Subpart E and Alaska Statute, Title 46, Chapter 3, Section 460 (et seq.).

This book shall be retained onboard the vessel for three years from the date of the last entry.

Sewage and Graywater Discharge Record Book for Cruise Ships operating in All Waters
Royal Caribbean Cruises Ltd. All Rights Reserved

Last Revision: April 18, 2011



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
- Ship log discrepancies and physical signs of bypass activity

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
08-May-16	22:09	21°29.7 N	107°20.0 W	22.45	21°35.3 N	107°30.1 W	Ballasting	152/210	FPK	QAA2	1025	27	3072	CGO	G. Varnakos
08-May-16	23:37	21°43.5 N	107°45.1 W	0.13	21°49.0 N	107°55.3 W	Deballasting	210/150	FPK	QAA2	1025	27	3091	CGO	G. Varnakos
09-May-16	0:48	21°54.5 N	108°05.2 W	1.30	22°00.9 N	108°16.9 W	Deballasting	180/175	FPK	QAA2	1025	28	2691	MO	S. Demetziakis
09-May-16	18:10	22°24.0 N	110°38.2 W	18.58	23°32.1 N	110°52.5 W	Ballasting	78/195	FPK	QAA2	1025	28	263	CGO	E. BOUMBALDIS
09-May-16	22:55	24°06.7 N	111°45.0 W	22.24	24°10.1 N	111°50.3 W	Ballasting	155/183	FPK	QAA2	1025	27	273	CGO	G. Varnakos
10-May-16	1:35	24°49.0 N	112°42.6 W	1.00	24°54.9 N	112°48.2 W	Deballasting	183/124	FPK	QAA2	1025	28	914	MO	S. Demetziakis
10-May-16	10:03	27°10.6 N	114°57.3 W	10.35	27°19.9 N	115°05.3 W	Deballasting	124/90	FPK	QAA2	1025	28	914	MO	S. Demetziakis
10-May-16	11:37	27°35.0 N	115°20.9 W	11.55	27°39.8 N	115°25.5 W	Deballasting	90/65	FPK	QAA2	1025	18	1298	CGO	G. Varnakos
10-May-16	18:30	29°38.4 N	116°20.8 W	19.18	29°53.2 N	116°28.3 W	Deballasting	70/150	FPK	QAA2	1025	18	1298	CGO	G. Varnakos
10-May-16	19:53	30°03.8 N	116°30.2 W	22.00	30°42.6 N	116°44.5 W	Ballasting	0/p 0/s - 74/74	5 P+S	QAA2	1025	20	2187	CGO	E. BOUMBALDIS
10-May-16	20:44	30°19.1 N	116°35.7 W	20.56	30°22.7 N	116°37.1 W	Ballasting	150/170	FPK	QAA2	1025	18	1617	CGO	E. BOUMBALDIS
10-May-16	22:00	30°42.6 N	116°44.5 W	22.18	30°47.7 N	116°46.4 W	Ballasting	170/180	FPK	QAA2	1025	18	1697	CGO	G. Varnakos
11-May-16	1:30	31°41.8 N	117°09.3 W	2.36	32°09.8 N	117°17.2 W	Deballasting	180/123	FPK	QAA2	1025	18	1897	CGO	G. Varnakos
11-May-16	20:20	32°40.0 N	117°13.8 W	21.30	32°41.7 N	117°30.8 W	Transfer	74/35 74/36 - 123/230	5+FP	QAA2	1025	18	1418	MO	S. Demetziakis
11-May-16	21:30	32°41.7 N	117°30.8 W	22.00	32°47.2 N	117°40.8 W	Deballasting	35/0 35/0	5 P+S	QAA2	1025	18	914	MO	S. Demetziakis
11-May-16	21:30	32°41.7 N	117°30.8 W	22.00	32°47.2 N	117°40.8 W	Deballasting	210/207	FPK	QAA2	1025	18	1029	MO	S. Demetziakis
11-May-16	22:09	32°48.3 N	117°42.6 W	22.48	32°55.3 N	117°53.7 W	Deballasting	202/147	FPK	QAA2	1025	18	1073	MO	S. Demetziakis
12-May-16	0:52	35°21.3 N	121°33.4 W	1.49	35°33.8 N	121°42.5 W	Deballasting		FPK	QAA2	1025	18	861	CGO	G. Varnakos

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





US EPA California No-Discharge Zone (All California State Waters)

Point Año Nuevo

**US EPA
NO DISCHARGE ZONE**

SANTA CRUZ

Point Santa Cruz

**US EPA
NO DISCHARGE ZONE**

MOSS
LANDING

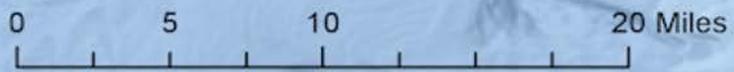
Point Piños

MONTEREY

Cypress Point

Yankee Point

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



***UNITED STATES COAST GUARD
SECTOR SAN FRANCISCO***

PORT STATE CONTROL BRANCH

LT Amanda Garcia



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 FPs 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/>

SAN FRANCISCO BAR PILOTS

Cevan LeSieur





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.



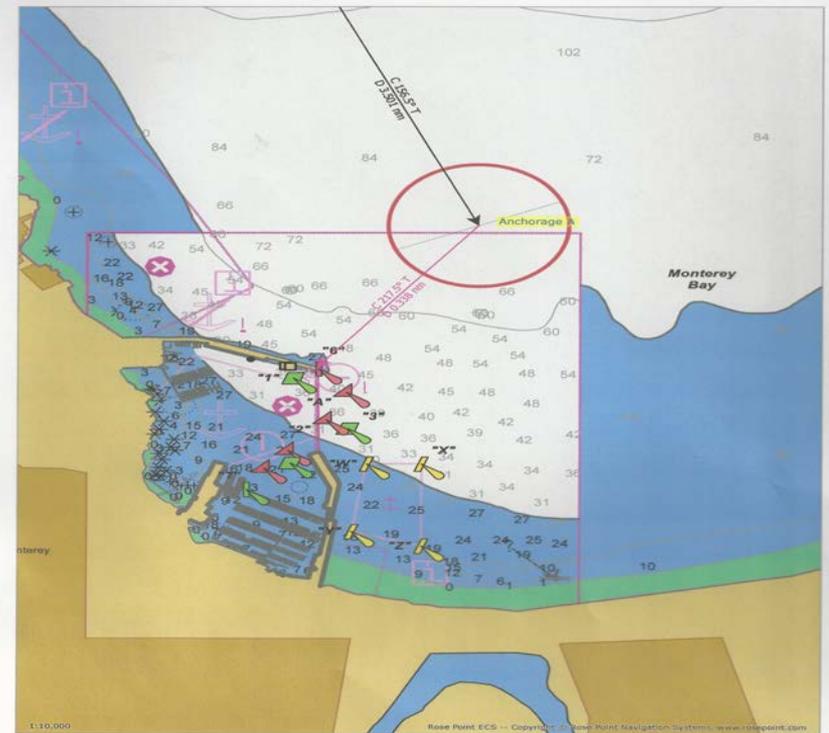
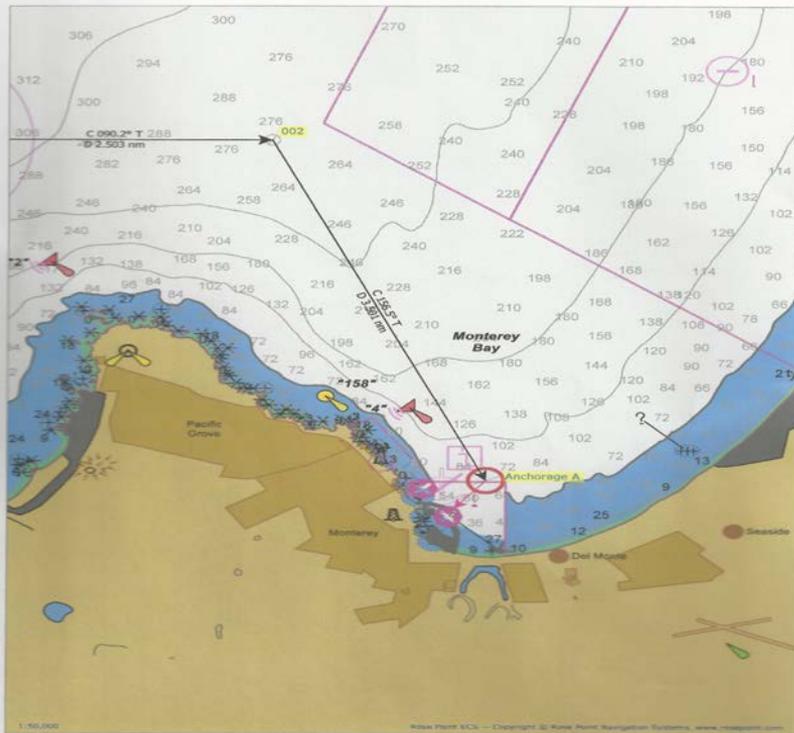
San Francisco Bar Pilots

- **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



***CALIFORNIA DEPARTMENT OF
FISH AND WILDLIFE***

OFFICE OF SPILL PREVENTION & RESPONSE

Bob Chedsey



Events Leading to the Creation of OSPR

March 24, 1989
T/V Exxon Valdez



February 7, 1990
T/V American Trader



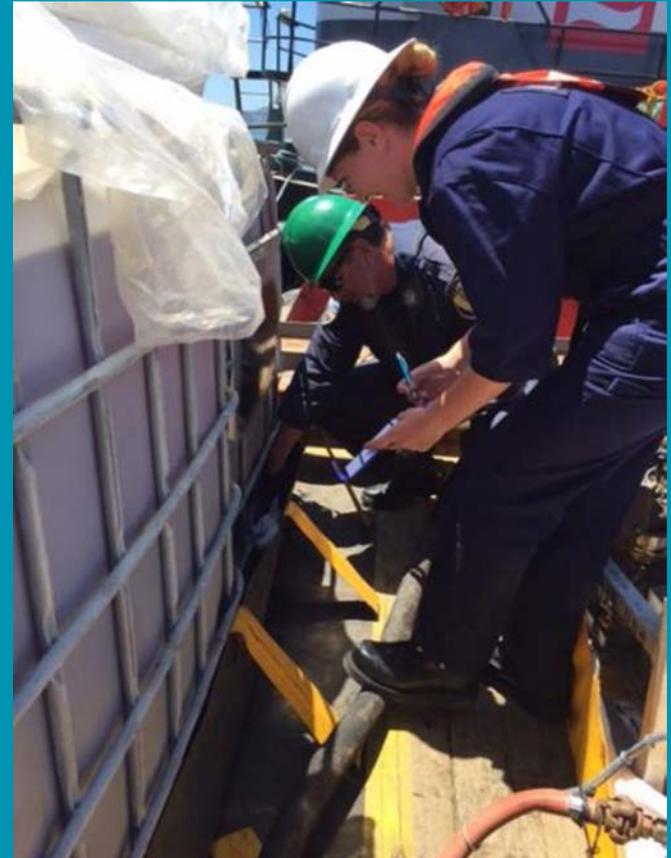
OSPR's MISSION

- ❖ 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
 - o Geographic Response Areas
 - o Sensitive Sites
- ❖ Drills and Exercises
- ❖ Local Agency Engagement/Support
 - o 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
 - o “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)

Oiled Wildlife Care Network/ Marine Wildlife Veterinary Care and Research Center (Santa Cruz)



CALIFORNIA STATE LANDS COMMISSION

Marine Environmental Protection Division

Nicole Dobroski



California Marine Invasive Species Program

- Multi-agency, statewide program
- Prevent invasive species introductions from large, commercial vessels



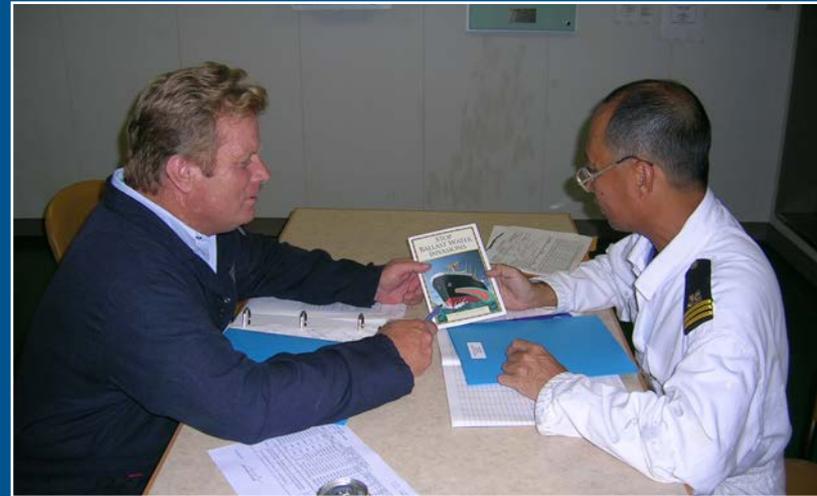
Cruise Vessels in California

- 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

***MONTEREY BAY
AIR RESOURCES DISTRICT***

AIR POLLUTION CONTROL

Richard Stedman





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





Air Quality Regulations

- 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...



Air Quality Regulations

- 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}



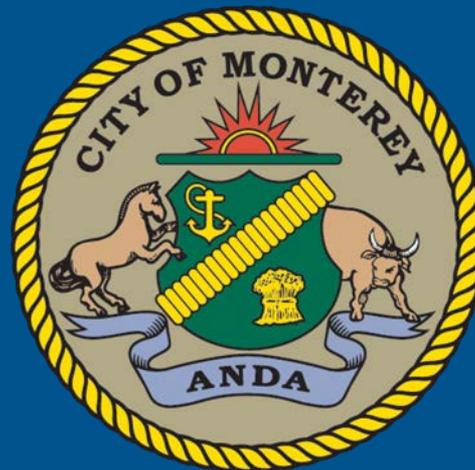
Air Quality Regulations



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

CITY OF MONTEREY

Brian Nelson



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) _____, 20____. In consideration of CITY allowing SHIP or 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 designee, 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: **831/594-7760, or 831/646-3950**. 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's Office at 831/646-5674; or by mail 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 Dock, 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 nature 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

City of Monterey – Key Contract Provisions

- ❖ 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.



Cruise Ship Regulation & Oversight Informational Session



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



California Territorial Sea

Point Año Nuevo

SANTA CRUZ

Point Santa Cruz

MOSS
LANDING

Point Piños

MONTEREY

Cypress Point

Yankee Point

