

ENVIRONMENTAL LAW FOUNDATION



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Luxury Cruise Lines Sued for Illegal Dumping

Lawsuit aims to halt illegal dumping of ballast water by fun ships in California ports

Los Angeles, CA - A lawsuit filed today by environmental groups seeks to stop luxury liners from violating state law when discharging untreated ballast water into California waters. The groups claim that cruise ships sailing into state waters from Mexico, Canada, and other distant ports routinely ignore mandatory ballast water treatment in order to cut costs.

Ballast water is the single largest source of invasive species found in California ports. It commonly carries exotic aquatic life that can invade local ecosystems and displace native species. Ballast water is seawater pumped into ships to ensure stability at sea, and discharged as needed while in or approaching a port.

Using records from the California State Lands Commission, the environmental groups' lawsuit claims that in two out of three visits, ships owned by Carnival, Holland America, Princess and Royal Caribbean that dock in Los Angeles, San Francisco or San Diego violate a ballast water law passed in 2000.

"Cruise lines must stop fouling California's waters in the name of good times and big profits," said Campaign Director Teri Shore of Bluewater Network in San Francisco, a plaintiff.

"California pays a huge cost when these giant ships dump untreated ballast water in our ports without concern for the consequences," said Jim Wheaton, President of the Environmental Law Foundation in Oakland, one of the groups filing the suit. "This is typical scofflaw behavior by

these immensely profitable companies, and not the first time they've been caught illegally dumping.”

That law requires any ship sailing into California from outside the United States 200-mile coastal zone to hold or treat any ballast water. An August 2001 letter from the State Lands Commission accused the cruise lines of failing to cooperate in finding a solution and threatened prosecutions for violating the law.

The Environmental Law Foundation, Bluewater Network, San Diego BayKeeper, and the Surfrider Foundation are suing Carnival, Holland America, Princess, and Royal Caribbean cruise lines under California's Unfair Competition Law in Los Angeles Superior Court. The groups will ask the court to permanently order cruise ships to halt any discharges of ballast water into California waters.

Stephanie Pacey, attorney for San Diego BayKeeper, stated, “Invasive species are a serious problem for California's coast. It is time to put a stop to a practice that is so harmful to our ocean ecosystems for so long.”

Marco Gonzalez, President of the San Diego Chapter of the Surfrider Foundation San Diego added, “we want to bring this suit now to prevent future harm to San Diego's coasts and bays, as well as to work to repair and restore the damage that has been done in other parts of California.”

The groups noted that dramatic cruise industry growth threatens future invasions. More ships are expected to travel West Coast waters beginning this year as cruise ships are being repositioned following Sept. 11. Over the next three years, 37 new ships are scheduled for worldwide delivery.

The defendants are Carnival Corporation, Holland America, P & O Princess Cruises (Princess Cruise Lines LTD), and Royal Caribbean.

The Carnival Cruise line pleaded guilty on Monday to illegally dumping oily waters and falsifying records, paying an \$18 million fine. In 1999 Royal Caribbean paid the second of two multi-million dollar fines to the US Environmental Protection Agency for dumping oily waters at sea.