

Memorandum of Understanding (MOU) amendment policy

- Amendments to the Memorandum of Understanding (MOU) will occur every three years starting in 2012. A request for proposed amendments will be posted on the Port of Seattle and Department of Ecology websites at the beginning of November of the year preceding the amendment adoption (e.g., in the beginning of November 2011 for 2012 adoption). All proposed amendments must be submitted within 21 calendar days of the posting.
- A 45-day review period will follow for all of the MOU signatories to review and validate the proposed amendments (around mid January). This period is longer to account for the holiday period, if the timing is different, review periods may be adjusted accordingly. Amendments that meet the criteria identified below will be then posted for a 30-day public comment period (around mid February). At the end of the comment period, MOU signatories will review the comments and meet to decide which, if any, of the proposed amendments should be adopted.

Criteria for Proposed Amendments

All proposed amendments meeting the following criteria will be advanced for further review and comment:

- 1) In order to be considered, proposed amendments must be submitted within three weeks of the posted request for proposed amendments.
- 2) Proposed amendments should include only cruise ship activity within the boundaries of the MOU.
- 3) The MOU, as amended, should not duplicate or replace existing regulations that govern cruise ships; however, they may be more stringent.
- 4) Proposed amendments must receive the sponsorship of one of the MOU signatories. (Note: sponsorship does not necessarily mean that the signatory will support adoption of the proposed amendment.)
- 5) If none of the signatories support a proposed amendment, it will not be reviewed or considered for adoption.

Proposed amendments must include:

- The basis for the amendment (e.g., what environmental concern it addresses)
- How the amendment is applicable to or compatible with the MOU
- The anticipated benefits of the amendment
- Potential impacts of the amendment
- Scientific data that supports the proposed amendment as applicable

In order for an amendment to be adopted, it must receive unanimous approval from the MOU signatories. The only exception to this amendment process is an amendment proposed by one of the signatories and supported unanimously by the other two signatories.