

CALIFORNIA STATE LANDS COMMISSION

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Established in 1938

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File Ref: W9777. 291

August 15, 2017

Re: Biofouling Management Regulations to Minimize the Transport of Nonindigenous Species from Vessels Arriving at California Ports, Effective October 1, 2017

Dear Shipping Agents and Interested Parties:

On April 20, 2017, the California State Lands Commission approved Article 4.8, Biofouling Management Regulations to Minimize the Transport of Nonindigenous Species from Vessels Arriving at California Ports. These biofouling management regulations have also been approved by California's Office of Administrative Law and are now set to become effective on October 1, 2017.

The provisions that will become effective on October 1, 2017, are:

- Repeal of the reporting requirements for the Hull Husbandry Reporting Form, the Ballast Water Treatment Supplemental Reporting Form and the Ballast Water Treatment Annual Reporting Form
- Adoption of the Marine Invasive Species Program Annual Vessel Reporting Form

The remaining requirements will be applicable after a vessel's first regularly scheduled out-of-water maintenance (i.e. dry dock) after January 1, 2018, or upon delivery on or after January 1, 2018, including requirements for:

- Developing and maintaining a Biofouling Management Plan [see section 2298.3]
- Developing and maintaining a Biofouling Record Book [see section 2298.4]
- Mandatory biofouling management of the vessel's wetted surfaces [see section 2298.6]
- Mandatory biofouling management for vessels that undergo an extended residency period (i.e., remain in the same location for 45 or more days) [see section 2298.7]

Commission staff anticipates many questions about the upcoming implementation of the biofouling management regulations and is developing a series of Customer Service meetings in northern and southern California and an internet-based webinar to provide outreach and answer any questions that may arise from the implementation of these

regulations. These meetings will be held in mid-late September; information about them will be distributed soon.

Relevant rulemaking documents are located on the Commission's website at <http://www.slc.ca.gov/Laws-Regs/Proposed-MISP.html>. If you have any additional questions, please contact Chris Scianni at Chris.Scianni@slc.ca.gov or (562) 499-6390 or refer to the Commission's web page at www.slc.ca.gov.

Sincerely,

A handwritten signature in black ink that reads "Nicole Dobroski". The signature is written in a cursive, flowing style.

Nicole Dobroski
Assistant Chief
Marine Environmental Protection Division