

CALIFORNIA STATE LANDS COMMISSION

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Established in 1938

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August 14, 2014

File Ref: W9777. 234

Dear Ship Owners and Agents:

Staff of the California State Lands Commission Marine Invasive Species Program (MISP) have noticed a recent increase in ballast water management violations of the Marine Invasive Species Act (MISA) (California Public Resources Code (PRC) § 71200 et seq.). In many of these cases, vessel operators have expressed confusion between United States Coast Guard (USCG) and California requirements for ballast water exchange.

The California MISA does not provide for an exemption for vessel deviation. Vessels arriving at California ports must conduct ballast water management in accordance with PRC section 71204.3 or title 2 California Code of Regulations (CCR) section 2280 et seq. regardless of whether such management would result in deviation or delay of the voyage. Per Title 33 of the Code of Federal Regulations, section 151.2055, the USCG does not require a vessel to deviate from its voyage or delay the voyage in order to conduct ballast water exchange.

Vessels conducting ballast water exchange to comply with PRC section 71204.3 or 2 CCR section 2284 must do so at a distance from the nearest land (including any islands), dependent upon their last port of call.

- Vessels calling at a California port or place arriving from a port or a place located outside of the Pacific Coast Region (PCR), and are carrying ballast water sourced from outside the PCR, are required to conduct ballast water exchange at least 200 nautical miles (NM) from any land (including islands) at a depth of at least 2,000 meters.
- Vessel arriving at a California port or place from within the PCR, and carrying ballast water sourced from within the PCR, are required to conduct exchange at least 50 NM from any land at a depth of at least 200 meters.

The enclosed map delineates the extent of the Pacific Coast Region and the 50 NM and 200 NM exchange zones.

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Vessel compliance with the MISA and associated regulations is essential to prevent the introduction of nonindigenous species into California waters.

Please feel free to contact me ((916) 574-0742; nicole.dobroski@slc.ca.gov) with any questions.

Sincerely,

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

Nicole Dobroski
Marine Invasive Species Program Manager

Encl: Map – Pacific Coast Region

PACIFIC COAST REGION

