Dear Shipping Agents/Interested Parties:

As mandated by California Public Resources Code § 71205, the California State Lands Commission (Commission) developed three forms to collect information about the installation, use, and maintenance of ballast water treatment systems, and the hull husbandry practices and vessel behavior patterns related to biofouling of vessels operating in California waters:

1) Ballast Water Treatment technology Annual Reporting Form (Annual Form);
2) Ballast Water Treatment Supplemental Reporting Form (Supplemental Form);
3) Hull Husbandry Reporting Form (HHRF).

The Annual and Supplemental Forms were adopted through Title 2, Division 3, Chapter 1, Section 2297.1 of the California Code of Regulations (CCR) in 2010 (see Attachments A and B).

The HHRF was adopted through Title 2, Division 3, Chapter 1, Section 2298 of the CCR in 2008 (see Attachment C).

2 CCR Section 2297.1(a) requires the master, owner, operator, agent, or person in charge of a vessel that has a ballast water treatment system installed on board and has discharged treated ballast in California waters to submit the Annual Form to the Commission in written or electronic form within 60 days of a written or electronic request from the Commission. This is an annual reporting requirement, based on the calendar year. Therefore, the requirement to submit the completed Annual Form starts anew January 1, 2014.

Commission staff will send monthly requests/notifications to Shipping Agents for vessels arriving to a California port or place and required to submit the Annual Form.

2 CCR Section 2297.1(b) requires the master, owner, operator, agent, or person in charge of a vessel with a ballast water treatment system installed on board to submit the Supplemental Form upon departure of that vessel from a California port or place of call if that vessel discharged treated ballast water into the waters of the state. This letter serves as a reminder that this form must be submitted as applicable.

2 CCR Section 2298 requires the master, owner, operator, agent, or person in charge of a vessel carrying, or capable of carrying, ballast water, that visits a California port or place to submit the HHRF annually, within 60 days of a written or electronic request from the
Commission. This is an annual reporting requirement, based on the calendar year. Therefore, the requirement to submit the completed HHRF starts anew January 1, 2014. Commission staff will send monthly requests/notifications to Shipping Agents for vessels arriving to a California port or place during each month.

Commission staff recommends that Agents supply the Annual and Supplemental Forms and HHRF to all vessels and inform them of the submission requirements to ensure compliance with the law and to help avoid the need to contact vessels after they depart the State. Please remind your clients that failure to comply with the requirements to submit the forms, as outlined above, may result in an administrative civil penalty. Penalties may be applied to the master, owner, operator, agent, or person in charge of the vessel in an amount not to exceed $27,500 per violation, with each day of a continuing violation constituting a separate violation.

- Please see Attachment A for a copy of the Annual Form. Please use this version (dated July 1, 2010), as this is the adopted regulatory version of the Annual Form.
- Please see Attachment B for a copy of the Supplemental Form. Please use this version (dated July 1, 2010), as this is the adopted regulatory version of the Supplemental Form.
- Please see Attachment C for a copy of the HHRF. Please use this version (dated June 6, 2008), as this is the adopted regulatory version of the HHRF.

Please forward all completed forms to:

California State Lands Commission
Marine Facilities Division
200 Oceangate, Suite 900
Long Beach, CA 90802
FAX: 562-499-6444
Email: bwform@slc.ca.gov

Because agents are one of the primary conduits of information for vessel owners and operators entering California ports or places, your assistance in providing notice to them about these reporting requirements is greatly appreciated.

Thank you for your attention to this matter. If you have any questions regarding the Annual Form, the Supplemental Form, or the HHRF, please contact either me at the number above or Nicole Dobroski at (916) 574-0742. You can also refer to the Commission’s Marine Invasive Species Program website at: http://www.slc.ca.gov/Spec_Pub/MFD/Ballast_Water/Ballast_Water_Default.html.

Sincerely

Chris Scianni
Acting Environmental Program Manager
Marine Invasive Species Program