Article 4.8 Biofouling Management Regulations: Overview of the Main Components

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Article 4.8: Biofouling Management Regulations to Minimize the Transfer of Nonindigenous Species from Vessels Arriving at California Ports

• Approved by CSLC: April 20, 2017
• Filed by Secretary of State: August 14, 2017
• **Effective date: October 1, 2017**
Regulation Development Process

• Public process: three rulemaking actions

• Developed in consultation with stakeholders through technical advisory group since 2010

• Informed by 8+ years of vessel-reported data on biofouling management and operational practices

• Informed by 10+ years of funded biofouling research
What You Need to Know
(i.e. What We Will Cover Here)

- Applicability
- Biofouling Management Plan
- Biofouling Record Book
- Annual Vessel Reporting Form
- Biofouling Management for Wetted Surfaces
- Extended Residency Periods
- Propeller Cleaning
- Alternatives
- Emergency Exemptions
Applicability

All vessels 300 GRT and above
- Carrying or capable of carrying ballast water
Biofouling Management Plan and Biofouling Record Book

When are they required?

- Existing vessels: After first regularly scheduled out-of-water maintenance on or after January 1, 2018
- New vessels: Upon delivery on or after January 1, 2018
- 60-day grace period: If vessel does not have a Biofouling Management Plan or Biofouling Record Book during first arrival at a California port after the requirement is in effect
Biofouling Management Plan and Biofouling Record Book

What is required: Biofouling Management Plan?

- Vessel-specific
- Retained onboard and made available to Commission staff for inspection and review
- Describe biofouling management strategy for the vessel
- Maintain consistency with IMO Biofouling Guidelines
- Describe biofouling management practices and anti-fouling systems
- Specific details for anti-fouling coatings and marine growth prevention systems
Biofouling Management Plan and Biofouling Record Book

What is required: Biofouling Record Book?

- Retained onboard
- Contain details of all inspections and biofouling management measures undertaken since the most recent out-of-water maintenance or since delivery
- Maintain consistency with IMO Biofouling Guidelines
- Description of completed niche area management practices
Annual Vessel Reporting Form

Details in the next presentation
Biofouling Management for Wetted Surfaces

When is this required?

- Existing vessels: After first regularly scheduled out-of-water maintenance on or after January 1, 2018
- New vessels: Upon delivery on or after January 1, 2018
Biofouling Management for Wetted Surfaces

What is required?

- Anti-fouling or foul-release coating must not be aged beyond the expected coating lifespan
  - OR
- Biofouling Management Plan must show how biofouling will be managed if:
  - Expected coating lifespan is exceeded
  - There is no anti-fouling or foul-release coating
Biofouling Management for Wetted Surfaces

What is required?

- Biofouling in the following niche areas must be managed:
  - Sea chests and sea chest gratings
  - Bow and stern thrusters and gratings
  - Fin stabilizers and recesses
  - Out-of-water support strips
  - Propellers and propeller shafts
  - Rudders

- Management practices must be documented
Extended Residency Periods

When is this required?

- Existing vessels: After first regularly scheduled out-of-water maintenance on or after January 1, 2018
- New vessels: Upon delivery on or after January 1, 2018
Extended Residency Periods

What is required?

- Manage biofouling in the niche areas listed earlier in a manner consistent with Biofouling Management Plan

- All biofouling management activities must be documented in the Biofouling Record Book
Propeller Cleaning

Not prohibited by these regulations
Alternatives and Emergency Exemptions

• Alternatives:
  • Blueprint for how to petition for alternative approaches to achieve the goals of the regulations

• Emergency Exemptions:
  • Specific criteria for exemptions under emergency situations
Biofouling Regulations

Status:

• Approved by State Lands Commission: April 20, 2017
• Filed by Secretary of State: August 14, 2017
• Implementation date: October 1, 2017

Availability of final rulemaking documents: www.slc.ca.gov
Thank You

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