### State of California

### Office of Administrative Law

In re:

**State Lands Commission** 

**Regulatory Action:** 

Title 02, California Code of Regulations

Amend section: 2298.5 NOTICE OF APPROVAL OF REGULATORY **ACTION** 

**Government Code Section 11349.3** 

**OAL Matter Number: 2020-1009-02** 

OAL Matter Type: Regular (S)

This action by the State Lands Commission amends the submission method requirement for the Marine Invasive Species Program Vessel Reporting Form.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on January 1, 2021.

Date:

November 30, 2020

Nicole C. Carrillo

Attorney

For:

Kenneth J. Pogue

Director

Original: Jennifer Lucchesi, Executive

Officer

Copy:

Patrick Huber

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OAL FILE NOTICE FILE NUMBER	D. A. A. A.	CHONNUMBER 9 - 0	EMERGENCY NUMBER	ENDORSED - FILED
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GENCY:WITH RULEWAKING AUTHORITY	5.			AGENCY FILE NUMBER (If any)
State Lands Commission				
. PUBLICATION OF NOTICE (Consultation of Notice)	omplete for p	7 1	e Register)  FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
larine Invasive Species Program F	and the second second second	TITLE(S)	2298.5	May 8, 2020
NOTICE TYPE Notice re Proposed Description	4. AGENCY CO Patrick Hu	NTACT PERSON IDET	TELEPHONE NUMBER 916-574-0728	FAX NUMBER (Optional)
DAL USE ACTION ON PROPOSED NOTICE			NOTICE REGISTER NUMB	ER PUBLICATION DATE
ONLY Approved as Approved as Submitted Mic	odified	Disapproved/ Withdrawn		
. SUBMISSION OF REGULATIO	NS (Comple	te when submitting		
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#### **EXPRESS TERMS**

TITLE 2. ADMINISTRATION
DIVISION 3. STATE PROPERTY OPERATIONS
CHAPTER 1. STATE LANDS COMMISSION
ARTICLE 4.8. BIOFOULING MANAGEMENT TO MINIMIZE THE TRANSFER OF NONINDIGENOUS SPECIES FROM VESSELS ARRIVING AT CALIFORNIA PORTS § 2298.5. MARINE INVASIVE SPECIES PROGRAM ANNUAL VESSEL REPORTING FORM

#### 2 CCR § 2298.5

§ 2298.5. Marine Invasive Species Program Annual Vessel Reporting Form.

The form "Marine Invasive Species Program Annual Vessel Reporting Form" (SLC 600.12, Revised 04/20-08/17) is hereby incorporated by reference. The master, owner, operator, agent or person in charge of a vessel carrying, or capable of carrying, ballast water that arrives at a California port shall submit the "Marine Invasive Species Program Annual Vessel Reporting Form" (SLC 600.12, Revised 04/20-08/17) to the Commission in written or electronic form through the web-based user interface https://misp.io at least twenty-four hours in advance of the first arrival of each calendar year at a California port of call.

Note: Authority cited: Sections 71201.7 and 71204.6, Public Resources Code. Reference: Sections 71204, 71204.6 and 71205, Public Resources Code.



# STATE OF CALIFORNIA – STATE LANDS COMMISSION MARINE INVASIVE SPECIES PROGRAM ANNUAL VESSEL REPORTING FORM SLC 600.12 (Revised $\underline{04/20}$ - $\underline{08/17}$ )

Public Resources Code Sections 71201.7, 71205

Vessel Name:	
Official / IMO Number:	
Responsible Officer's Name and Title:	
Date Submitted (Day/Month/Year):	
1. Does the vessel have a ballast water treatmen	at eveters installed?
1. Does the vessel have a ballast water treatmer  Yes  IF "YES" Complete sections 1 and 2	n system installed?
No IF "NO" Complete section 1 only	
11 140 Complete section 1 only	
Section 1: Hull Husbandry Main	tenance and Operational Information
2. Since delivery, has this vessel ever been remo	oved from the water for maintenance?
Yes No No	
a le Van automatica de la continua d	
a. <u>If Yes</u> , enter the date and location of the most	recent out-of-water maintenance.
Last date out of water (Day/Month/Year):  Port or Position:	Country
Port or Position.	Country:
b. If No, enter the delivery date and location whe	re the vessel was built:
Delivery Date (Day/Month/Year):	
Port or Position:	Country:
Were the submerged portions of the vessel co the <b>out-of-water</b> maintenance or shipbuilding	pated with an anti-fouling treatment or coating during process listed above?
Yes, full coat applied	
Yes, partial coat   Date last full coat applied (	Day/Month/Year)
No coat applied Date last full coat applied (	Day/Month/Year)

Official / IMO Number\_\_\_



# STATE OF CALIFORNIA – STATE LANDS COMMISSION MARINE INVASIVE SPECIES PROGRAM ANNUAL VESSEL REPORTING FORM SLC 600.12 (Revised 04/20-08/17)

Public Resources Code Sections 71201.7, 71205

4. For the most recent full coat application of anti-fouling treatment, what type of anti-fouling treatment was applied and to which specific sections of the submerged portion of the vessel was it applied?
Manufacturer/Company:
Product Name:
Applied on (Check all that apply): Hull Sides  Hull Bottom  Sea Chests  Sea Chest Gratings  Propeller  Rope Guard/Propeller Shaft  Previous Docking Blocks  Rudder  Bilge Keels
Manufacturer/Company:
Product Name:
Applied on (Check all that apply): Hull Sides  Hull Bottom  Sea Chests  Propeller  Rope Guard/Propeller Shaft  Previous Docking Blocks  Rudder  Bilge Keels
Manufacturer/Company:
Product Name:
Applied on (Check all that apply): Hull Sides  Hull Bottom  Sea Chests  Sea Chest Gratings  Propeller  Rope Guard/Propeller Shaft  Previous Docking Blocks  Thrusters  Rudder  Bilge Keels
5. Were the sea chests inspected and/or cleaned during the out-of-water maintenance listed above? If no out-of-water maintenance was performed since delivery, select Not Applicable.
(Check all that apply) Yes, sea chests inspected  Yes, sea chests cleaned
No, sea chests not inspected or cleaned  Not Applicable
6. Are Marine Growth Prevention Systems (MGPS) installed in the sea chest(s) or sea strainer(s)?
Yes Manufacturer: Model:
If Yes, MGPS installed in (check all that apply): Sea Chest(s)  Sea strainer(s)
No 🗌



# STATE OF CALIFORNIA – STATE LANDS COMMISSION MARINE INVASIVE SPECIES PROGRAM ANNUAL VESSEL REPORTING FORM SLC 600.12 (Revised 04/20-08/17)

Public Resources Code Sections 71201.7, 71205

7. Has the vessel undergone in-water cleaning to the submerged portions of the vessel since the last
out-of-water maintenance period? Yes  No
a. If Yes, when and where did the vessel most recently undergo in-water cleaning?
(Do not include cleaning performed during out-of-water maintenance period)
Date (Day/Month/Year):
Port or Position: Country:
Vendor providing cleaning service:
Section(s) cleaned (Check all that apply): Hull Sides  Hull Bottom  Docking  Propeller  Sea Chest Grating  Sea Chest  Bilge Keels  Rudder  Docking  Blocks  Thrusters  Unknown
Cleaning method: Divers  Robotic  Both
8. Has the propeller been polished since the last <b>out-of-water</b> maintenance (including shipbuilding process) or <b>in-water</b> cleaning?
Yes Date of propeller polishing (Day/Month/Year):
No L
9. Are the anchor and anchor chains rinsed during retrieval? Yes \( \square \) No \( \square \)
10. List the following information for this vessel averaged over the last four months:
a. Average Voyage Speed (knots):
b. Average Port Residency Time (hours or days): Hours or Days
11. Since the hull was last cleaned (out-of-water or in-water), has the vessel visited: a. Fresh water ports (Specific gravity of less than 1.005)?
Yes How many times?
No
h Transical name /hatrican 22 F0 C and 22 F0 N latitudo 2
b. Tropical ports (between 23.5° S and 23.5° N latitude)?
Yes How many times?
No L
c. Panama Canal?
Yes How many times?
No 🗆
·

Official / IMO Number\_



Port or Position:

Arrival date:

# STATE OF CALIFORNIA – STATE LANDS COMMISSION MARINE INVASIVE SPECIES PROGRAM ANNUAL VESSEL REPORTING FORM SLC 600.12 (Revised 04/20-08/17)

Public Resources Code Sections 71201.7, 71205

· · · · · · · · · · · · · · · · · · ·	by this vessel in the order they were visited (start with most all 10 spaces if the vessel has a regular route that involves less
Check here if the vessel visits t	he same ports on a regular route.
List dates as (Day/Month/Year).	
Port or Position:	Country:
Arrival date:	Departure date:
Port or Position:	Country:
Arrival date:	Departure date:
Port or Position:	Country:
Arrival date:	Departure date:
Port or Position:	Country:
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Port or Position:	Country:
Arrival date:	Departure date:

Country:

Departure date:



# STATE OF CALIFORNIA – STATE LANDS COMMISSION MARINE INVASIVE SPECIES PROGRAM ANNUAL VESSEL REPORTING FORM SLC 600.12 (Revised <u>04/20</u>-08/17)

Public Resources Code Sections 71201.7, 71205

	of-water or in-water) or delivery, has the vessel spent 10 ocation? (Do not include time out-of-water or during in-	
No Indicate the longest amount of time s	pent in a single location since the last hull cleaning	
Number of Days:	Date of Arrival:	
Port or Position:	Country:	
Yes List all of the occurrences where the location since the last hull cleaning. List date:	e vessel spent 10 or more consecutive days in any single s as ( <b>Day/Month/Year</b> ):	
Number of Days:	Date of Arrival:	
Port or Position:	Country:	
Number of Days:	Date of Arrival:	
Port or Position:	Country:	
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Port or Position:	Country:	

Official / IMO Number\_\_\_\_\_



# STATE OF CALIFORNIA – STATE LANDS COMMISSION MARINE INVASIVE SPECIES PROGRAM ANNUAL VESSEL REPORTING FORM SLC 600.12 (Revised 04/20 08/17)

Public Resources Code Sections 71201.7, 71205

### **Section 2: Ballast Water Treatment System Information**

#### COMPLETE ONLY IF VESSEL HAS A BALLAST WATER TREATMENT SYSTEM INSTALLED

Note: Complete a separate Section 2 for each installed ballast water treatment system.

14. Provide the following information about the vessel's installed ballast water treatment system:
Manufacturer/Company:
Product Name:
Model Number:
Date System Commissioned (Day/Month/Year):
15. Has the installed ballast water treatment system been used to treat ballast water in the last 12 months?
Yes
Number of times the system was used in the last 12 months:
No 🗌
16. Has the installed ballast water treatment system malfunctioned in the last 12 months?  Yes Date of Most Recent Malfunction (Day/Month/Year)
Tes Date of Most Recent Manufiction (Day/Month/ Year)
Describe all malfunctions during the previous 12 months:
Describe all repairs for all malfunctions during the previous 12 months :
No 🗌
17. Has an onboard test for biological performance of the vessel's installed ballast water treatment system been completed since the system was commissioned?
Yes If "YES", List the dates of the tests (Day/Month/Year):
No 🗌

Official / IMO Number\_



# STATE OF CALIFORNIA – STATE LANDS COMMISSION MARINE INVASIVE SPECIES PROGRAM ANNUAL VESSEL REPORTING FORM SLC 600.12 (Revised <u>04/20-08/17</u>)

Public Resources Code Sections 71201.7, 71205

#### Instructions

California State Lands Commission
Public Resources Code Sections 71201.7, 71205

<u>April 2020 August 2017</u>

As used in this form, "vessel" has the same meaning as defined in California Code of Regulations, Title 2, section 2298.2. Applicability of this reporting requirement is defined in California Code of Regulations, Title 2, section 2298.5.

SUBMIT THE COMPLETED FORM <u>TO THE COMMISSION IN ELECTRONIC FORM THROUGH THE</u>
WEB-BASED USER INTERFACE HTTPS://MISP.IO AT LEAST TWENTY-FOUR HOURS IN ADVANCE
OF THE FIRST ARRIVAL OF THE CALENDAR YEAR AT A CALIFORNIA PORT OF CALL. <del>TO:</del>

California State Lands Commission
Marine Environmental Protection Division
200 Oceangate, Suite 900
Long Beach, CA 90802
or

FAX: 562-499-6444

<del>OF</del>

Email: <u>bwform@slc.ca.gov</u>

#### Report information using the following instructions:

**Question 1:** Check the appropriate box to indicate whether the vessel has an onboard ballast water treatment system installed.

- If <u>Yes</u> was selected, complete both Section 1 and Section 2
- If No was selected, complete only Section 1

### Section 1: Hull Husbandry Maintenance and Operational Information

**Question 2:** Check the appropriate box to indicate whether, since delivery, the vessel has ever been removed from the water for maintenance.

- If "Yes" was selected, enter the date (Day/Month/Year) and location for the most recent out-ofwater maintenance period (for example, if vessel was out of water for dry-dock from 1 January 2016 through 10 January 2016, list 10 January 2016 as the last date out of water)
- If "No" was selected, enter the vessel's delivery date (Day/Month/Year) and the location where the vessel was built

**Question 3:** Check the appropriate box to indicate whether the vessel's hull was coated with an antifouling treatment/coating during the out-of-water maintenance period or shipbuilding process described in Question 2.

- If "Yes, full coat applied" was selected, move on to Question 4
- If <u>"Yes, partial coat"</u> was selected, list completion date (Day/Month/Year) of most recent full coat application of an anti-fouling treatment/coating

If <u>"No coat applied"</u> was selected, list completion date (Day/Month/Year) of most recent full coat application of an anti-fouling treatment/coating



### STATE OF CALIFORNIA – STATE LANDS COMMISSION MARINE INVASIVE SPECIES PROGRAM ANNUAL VESSEL REPORTING FORM SLC 600.12 (Revised 04/20-08/17)

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Question 4: For the most recent full coat application of anti-fouling treatment/coating, list the manufacturer(s)/company(ies) and product names of the treatment(s)/coating(s) and check the box next to the specific section(s) of the submerged portions of the vessel where each treatment was applied (check all sections that apply). List information for each anti-fouling treatment/coating if more than one was applied. Attach additional pages if necessary.

**Question 5:** Check the appropriate box to indicate whether the sea chest(s) were inspected and/or cleaned during the most recent out-of-water maintenance period described in Question 2. If no out-of-water maintenance was performed since delivery, check <u>Not Applicable</u>.

**Question 6:** Marine Growth Protection Systems (MGPS) are systems installed in the sea chests or sea strainers to prevent the accumulation of fouling organisms within the sea chests and associated seawater circulation networks. Check the appropriate box to indicate if a Marine Growth Protection System is installed in the sea chest(s) or sea strainers.

- If "Yes" was selected, list the Manufacturer and Model
- If <u>"Yes"</u> was selected, indicate whether MGPS is installed in sea chests or sea strainers (or both)
- If "No" was selected, move on to Question 7

**Question 7:** Check the appropriate box to indicate if the vessel has undergone in-water cleaning on the submerged portions of the vessel since the last out-of-water maintenance period. In-water cleaning does not include cleaning carried out during out-of-water maintenance but does include cleaning carried out during the Underwater Inspection in Lieu of Dry-Docking (UWILD). For this question, out-of-water maintenance includes the shipbuilding process.

- If "Yes" was selected, answer Question 7a
- If "No" was selected, move on to Question 8

Question 7a: Provide date (Day/Month/Year) and location of most recent in-water cleaning (do not include cleaning performed during out-of-water maintenance period) as well as the vendor that conducted the in-water cleaning. Check the box next to the appropriate sections to indicate those sections of the vessel that were cleaned during the in-water cleaning described in Question 7. Indicate whether in-water cleaning was conducted by divers, a robotic system, or both.

**Question 8:** Check the appropriate box to indicate whether the propeller has been polished since the most recent out-of-water maintenance or in-water cleaning. For this question, **out-of-water** maintenance includes the shipbuilding process.

- If "Yes" was selected, list the date of the most recent propeller polishing
- If "No" was selected, move on to Question 9.

**Question 9:** Check the appropriate box to indicate whether the anchor and anchor chains are rinsed during retrieval.

**Question 10a:** Over the past four months, list the average speed (knots) at which this vessel has traveled.

**Question 10b:** Over the past four months, list the average length of time (either hours or days) that this vessel has spent in any given port.



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**Question 11a:** Check the appropriate box to indicate whether this vessel has visited any freshwater ports (specific gravity of less than 1.005) since the hull was last cleaned (either in-water or out-of-water) or since delivery if the hull has never been cleaned.

• If "Yes" is selected, list the number of times that this vessel visited freshwater ports since the hull was last cleaned or since delivery if the hull has never been cleaned.

**Question 11b:** Check the appropriate box to indicate whether this vessel has visited any tropical ports between latitudes 23.5° S and 23.5° N since the hull was last cleaned (either in-water or out-of-water) or since delivery if the hull has never been cleaned.

• If "Yes" is selected, list the number of times that this vessel visited tropical ports since the hull was last cleaned or since delivery if the hull has never been cleaned.

**Question 11c:** Check the appropriate box to indicate whether this vessel has traversed the Panama Canal since the hull was last cleaned (either in-water or out-of-water) or since delivery if the hull has never been cleaned.

• If "Yes" is selected, list the number of times that this vessel has traversed the Panama Canal since the hull was last cleaned or since delivery if the hull has never been cleaned.

**Question 12:** Starting with the most recent port, list the last 10 ports visited by this vessel. Provide information on the port or place, country, and the dates of arrival and departure.

If this vessel follows a regular route, visiting the same ports routinely, place a check in the box provided and list the information for the most recently completed route. You do not have to use all ten spaces if the regular route involves less than 10 ports.

**Question 13:** Check the appropriate box to indicate whether this vessel has spent 10 or more consecutive days in any single location since the last time the hull was cleaned (either in-water or out of water) or since delivery if the hull has never been cleaned. Do not include time spent out-of-water or time spent during in-water cleaning.

- If "No" is selected, enter the information for the single longest amount of time this vessel has spent in a single location since the last hull cleaning or since delivery if the hull has never been cleaned.
- If "Yes" is selected, list all of the occurrences where the vessel spent 10 or more consecutive days in any single location since the last hull cleaning or since delivery if the hull has never been cleaned.



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Public Resources Code Sections 71201.7, 71205

### Section 2: Ballast Water Treatment System Information

### COMPLETE ONLY IF VESSEL HAS A BALLAST WATER TREATMENT SYSTEM INSTALLED

If more than one treatment system is installed on board the vessel, Section 2 must be filled out separately for each system.

**Question 14:** Provide the following information for each ballast water treatment installed on the vessel:

- System manufacturer or company (For example Acme Incorporated)
- Product name, if applicable (For example Acme Ballast Water Treatment System)
- Model number, if applicable (For example Acme Model # 5454). Do not provide the serial number.
- Date (Day/Month/Year) the ballast water treatment system was commissioned. This is the date that the system was determined to be ready for active service including:
  - (1) Functionally ready for use, and
  - (2) Has received all applicable use approvals.

**Question 15:** Provide the number of times the vessel's installed ballast water treatment system was used during the previous 12 months.

**Question 16:** Check the appropriate box to indicate whether the installed ballast water treatment system has malfunctioned during operation in the previous 12 month period. Attach additional pages as necessary.

- If "Yes" was selected:
  - List the date of the most recent malfunction
  - Describe the malfunction including the type of malfunction (for example software, chemical, operational, plumbing, etc.)
  - o Describe all repairs that were completed as a result of each malfunction
- If "No" was selected, move on to Question 17

**Question 17:** Check the appropriate box to indicate whether an onboard test for biological efficacy has been completed since the system was installed. Biological efficacy is the ability of the ballast water treatment system to reduce the number of viable organisms in water.

- If "Yes" was selected, list the dates (Day/Month/Year) for all tests of biological efficacy since the system was installed.
- If "No" was selected, this is the end of the form.