

December 10, 2020

Commissioners:

Honorable Betty Yee, Controller & Chair

Honorable Eleni Kounalakis, Lieutenant Governor

Ms. Keely Bosler, Director – California State Department of Finance

California State Lands Commission

100 Howe Avenue

Suite 100-South

Sacramento, California 95825-8202

**Re: California State Lands Commission Public Hearing, December 17, 2020 / Agenda Item 61**

**"2021 Biennial Report on the California Marine Invasive Species Program"**

Dear California State Lands Commissioners:

The Pacific Merchant Shipping Association (PMSA) appreciates the opportunity to offer public comment on Agenda Item 61 of the December 17, 2020 State Lands Commission hearing; the consideration of the draft report: "*2021 Biennial Report on the California Marine Invasive Species Program*."

PMSA is a regional trade association representing ocean carriers servicing California's international trade needs through its commercial ports. PMSA has a long history of supporting efforts to minimize the impacts of aquatic invasive species introduction through collaborative efforts with the State Lands Marine Invasive Species Program (MISP).

The draft report is informative and provides valuable data and findings. We appreciate the recognition of the high level of programmatic compliance achieved by the maritime industry. This is a reflection of the importance of this issue to our industry, as well as the outreach and education provided by MISP staff.

In addition to our continued collaboration with MISP staff on the proposed Next Steps outlined in the report, I would like to specifically comment on item number 4:

*Implement a weighted risk assessment: Implement a new pre-arrival risk-based process for identifying high priority vessels for inspection to achieve a more effective and efficient use of available inspection resources. The new approach combines ballast water and vessel biofouling risk factors and relies on data collected via vessel-submitted forms (Ballast Water Management Report and Marine Invasive Species Program Annual Vessel Reporting Form).*

As pointed out in the report, staff has had difficulty achieving a 25% sampling and inspection rate as established in statute. We have long held that such a target is arbitrary and not readily achievable for sampling. As referenced in the report, 85.5% of vessels visiting California eliminate the risk of invasive species introduction from ballast water by simply not discharging in state waters. Accordingly, those vessels do not provide the opportunity for sampling, making it difficult to reach the statutory threshold. We **support** the Commission's effort to develop risk-based vessel inspection strategies, and suggest that "inspection" be the appropriate metric to base oversight on, rather than also including sampling as a requirement. A risk-based matrix for inspection can provide for sampling as deemed necessary by the Commission.

With the economic pressures that the MISP faces going forward, a more focused and efficient use of resources will be essential to maintaining the Commission's mandate and goals. We would like to offer our support in seeking whatever changes are necessary to modify the vessel oversight protocols to maximize the program's effectiveness.

We look forward to continuing our positive relationship with the Commission and MISP staff in moving towards eliminating to the extent possible the introduction of aquatic invasive species through the commercial maritime sector.

Sincerely,



John Berge  
Vice President

cc: CSLC / J. Luchessi; N. Dobroski  
Shaw / Yoder / Antwih, Inc., J. Shaw