

**State of California
Office of Administrative Law**

In re:
State Lands Commission

Regulatory Action:

Title 02, California Code of Regulations

Adopt sections:

Amend sections: 2270, 2271

Repeal sections:

NOTICE OF APPROVAL OF REGULATORY
ACTION

Government Code Section 11349.3

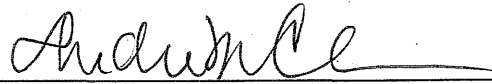
OAL Matter Number: 2026-0623-01

OAL Matter Type: Regular Resubmittal (SR)

In this rulemaking action, the State Lands Commission increases vessel voyage fees and makes other updates to the Marine Invasive Species Control Fund Fee regulations.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 8/1/2026.

Date: July 29, 2026



Andrea Christensen
Senior Attorney

For: Kenneth J. Pogue
Director

Original: Matthew Dumlao, Executive
Officer

Copy: Nina Tantraphol

RESUBMITTAL

NOTICE PUBLICATION/REGULATIONS SUBMISSION

STD. 400 (REV. 10/2019)

For use by Secretary of State only

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER 2026-0623	EMERGENCY NUMBER -01SR
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

JUL 29 2026

2:16 PM
[Signature]

OFFICE OF ADMIN. LAW
2026 JUN 23 PM3:47

AGENCY WITH RULEMAKING AUTHORITY

State Lands Commission

per agency request AMC 7/29/26

AGENCY FILE NUMBER (If any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE ☐ Notice re Proposed Regulatory Action ☐ Other		4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE ☐ Approved as Submitted ☐ Approved as Modified ☐ Disapproved/Withdrawn		NOTICE REGISTER NUMBER <i>2025-45-Z</i>	PUBLICATION DATE <i>11/7/25</i>

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Article 4.5 Marine Invasive Species Control Fund Fee	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) <i>2026-0415-055</i>
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per agency request AMC 7/29/26

2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)
ADOPT
AMEND
2270 and 2271
REPEAL
TITLE(S)
2

3. TYPE OF FILING			
☒ Regular Rulemaking (Gov. Code §11346)	☐ Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	☐ Emergency Readopt (Gov. Code, §11346.1(h))	☐ Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
☐ Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	☐ Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	☐ File & Print	☐ Print Only
☐ Emergency (Gov. Code, §11346.1(b))	☐ Other (Specify)		

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1) All modified regulations and materials were available February 9, 2026 to February 24, 2026

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)			
☐ Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	☐ Effective on filing with Secretary of State	☐ \$100 Changes Without Regulatory Effect	☒ Effective other (Specify) August 1, 2026

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY		
☒ Department of Finance (Form STD. 399) (SAM §6660)	☐ Fair Political Practices Commission	☐ State Fire Marshal
☐ Other (Specify)		

7. CONTACT PERSON Nina Tantraphol	TELEPHONE NUMBER (916) 574-0452	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) nina.tantraphol@slc.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Matthew Dumlao</i>	DATE 6/19/2026
TYPED NAME AND TITLE OF SIGNATORY Matthew Dumlao, Executive Officer	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

JUL 29 2026

Office of Administrative Law

PROPOSED REGULATORY TEXT

TITLE 2. ADMINISTRATION

DIVISION 3. STATE PROPERTY OPERATIONS

CHAPTER 1. STATE LANDS COMMISSION

ARTICLE 4.5. MARINE INVASIVE SPECIES CONTROL FUND FEE

Staff has illustrated changes to the original text in the following manner:

- *Originally proposed language is underlined; deletions from the original text are shown in strikeout using a "-".*
- *Modified proposed additions after comment consideration are double underlined; modified proposed deletions after comment consideration are shown in double strikethrough.*

Section 2270. Marine Invasive Species Control Act; Definitions.

For purposes of this Article, the following definitions apply.

- (a) "Voyage" means any transit by a vessel destined for a California port from a port outside of the coastal waters of the state.
- (b) "Waters of the state" means any surface waters, including saline waters, that are within the boundaries of the state.

NOTE:

Authority cited: Sections 71201.7 and 71215~~(b)~~, Public Resources Code.

Reference cited: Sections 71200~~(e)~~, 71200~~(r)~~ and 71215, Public Resources Code.

Section 2271. Fee Schedule for Marine Invasive Species Control Fund.

- (a) The Fee required under Public Resources Code Section 71215 is one thousand two hundred twenty-five dollars (\$1,225~~1,000~~) per vessel voyage.
- (b) The Commission may establish lower levels of fees and the maximum amount of fees for individual shipping companies or vessels. Any fee schedule established, including the level of the fees and the maximum amount of fees, shall take into account the impact of the fees on vessels operating from California in the Hawaii or Alaska trades, the frequency of

calls by particular vessels to California ports within a year, the ballast water and biofouling management practices of the vessels, and other relevant considerations.

- (c) The fee shall be collected from the owner or operator of each vessel that arrives at a California port or place from a port or place outside of California. That fee may not be assessed on any vessel arriving at a California port or place if that vessel comes directly from another California port or place and during that transit has not first arrived at a port or place outside California or moved outside the EEZ prior to arrival at the subsequent California port or place.
- (d) (1) The Executive Officer of the California State Lands Commission shall invite representatives of persons and entities who must pay the fee required under Public Resources Code Section 71215 to participate in a technical advisory group to make recommendations regarding the amount of the fee, taking into account the provisions of Public Resources Code Sections 71200 through 71216.

(2) The technical advisory group shall meet on a regular basis after July 1, 2000, as determined by the group.

NOTE:

Authority cited: Sections 71201.7 and 71215(b), Public Resources Code.

Reference cited: Sections 71200 and 71215, Public Resources Code.