



Proposed Emergency Rule for Discharges in California's Fresh and Brackish Water Ports

Pacific Ballast Water and Biofouling Group
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California State Lands Commission
Marine Invasive Species Program



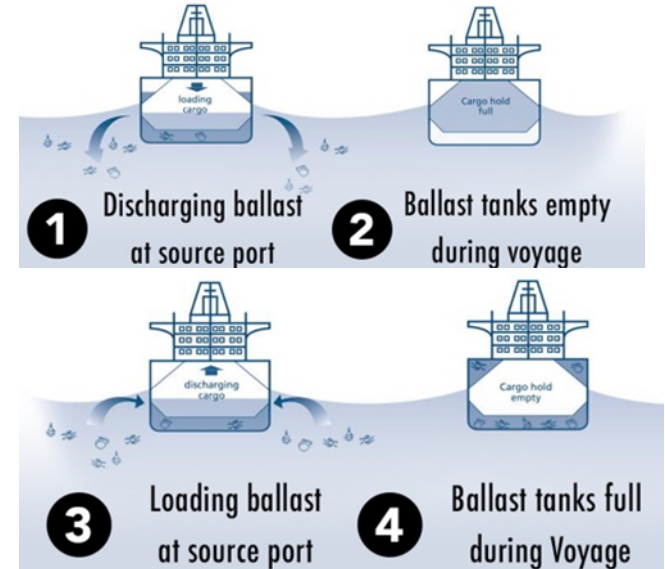
California State
Lands Commission



California's Marine Invasive Species Program

Background

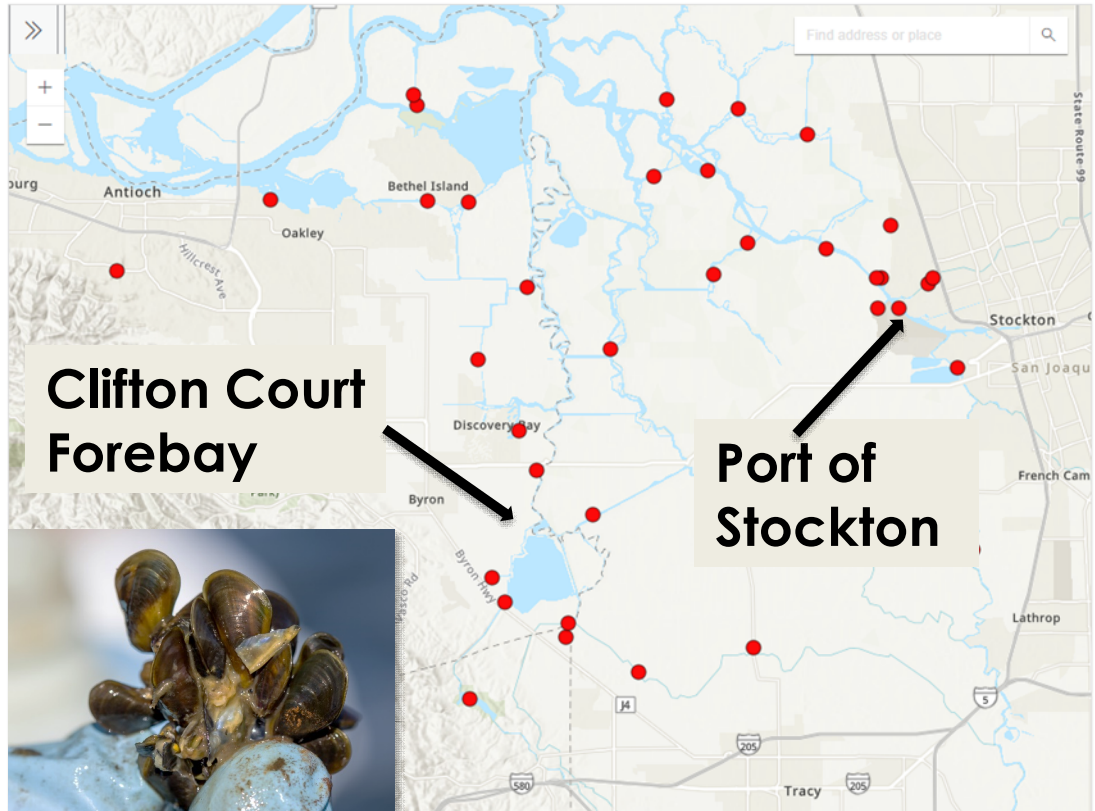
- The purpose of California's Marine Invasive Species Program is to **reduce the risk of introducing nonindigenous species** into State waters from vessels arriving at California ports
- The Commission implements **Ballast Water Discharge Performance Standards** to limit the allowable concentration of living organisms discharged in CA waters



Graphic courtesy of GloBallast

California's Golden Mussel Introduction

- Golden mussels discovered in California at the Port of Stockton on 10/17/2024
- At least as far back as Spring 2023 based on samples from CA Department of Water Resources at Clifton Court Forebay
- Likely a ballast water introduction



Addressing AIS Risks

Gap in management for Fresh/Brackish to Fresh/Brackish

- Transition from exchange to performance standards
- Likely higher concentrations of fresh and brackish water organisms
- Greater likelihood of NIS introductions
- How can we decrease the risk of new invasive species?

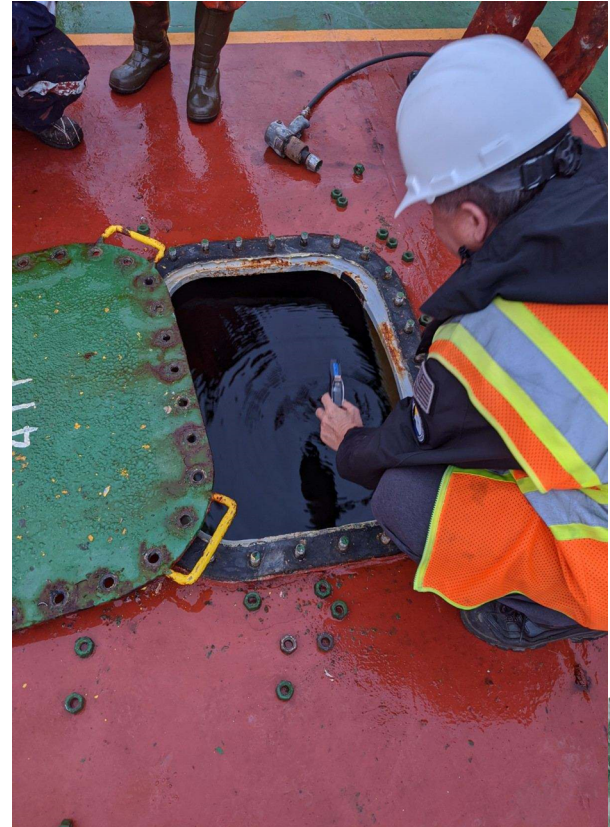


Proposed Emergency Rulemaking

Proposed Requirements

Ballast water exchange in addition to meeting discharge standards

- Salinity of discharged ballast water must be at or above 30 ppt (ocean salinity)

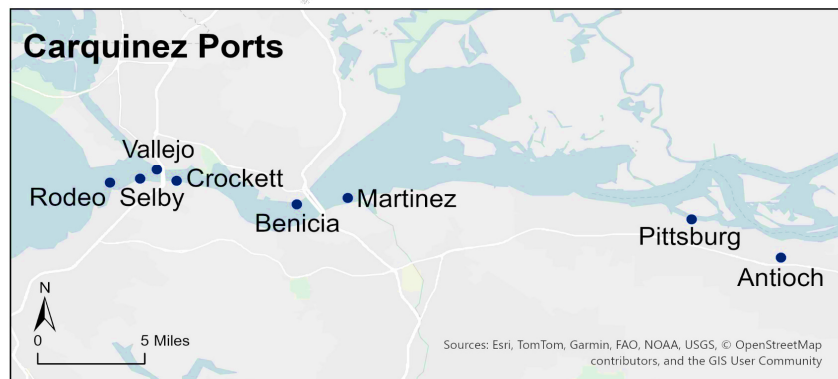
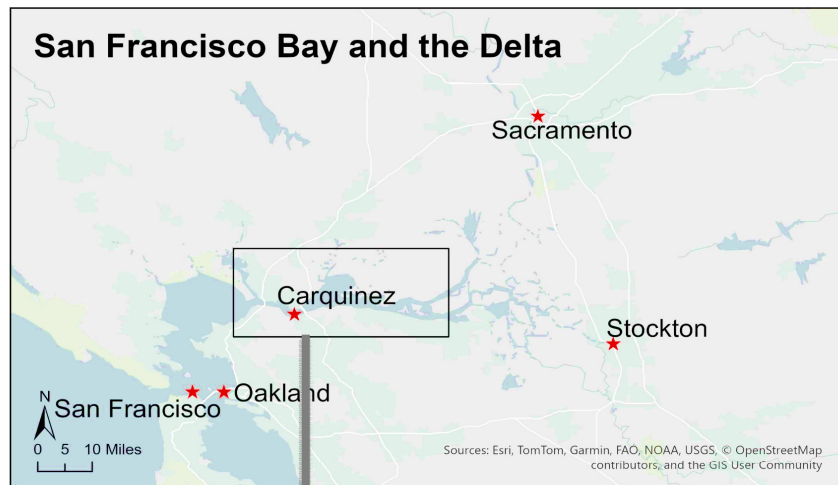


Proposed Emergency Rulemaking

Would impact an estimated 24 vessel arrivals per year.

Only applies to:

- Vessels with ballast water source that is less than 18 ppt
- Discharges at fresh and brackish water ports



Proposed Emergency Rulemaking

- Would impact an estimated 24 vessel arrivals per year
- Based on average arrivals from 2021-2024

NOTE: Notifying Oregon and Washington ballast water program staff about vessels that sourced ballast water in Stockton

Vessel Types	Average Arrivals (2021-2024)
ATB	6.5
Bulk	10.25
Tank	6.5
General	.5



Proposed Emergency Rulemaking

Emergency Rulemaking Timeline

- The Commission must post a notice for 5 days before submitting the proposed emergency regulation to California's Office of Administrative Law (OAL)
- Once filed with OAL:
 - There will be a 10-day review period
 - Public comments can be taken during the 1st 5 days



Proposed Emergency Rulemaking

- Emergency regulations will be effective for 180 days with up to two 90-day extensions
- The MISP is preparing for a regular public rulemaking action which includes a full 45-day comment period.





THANK YOU & QUESTIONS

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