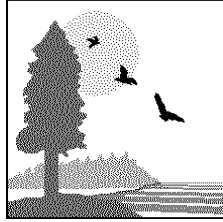


CALIFORNIA STATE LANDS COMMISSION

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March 1, 2006

File Ref: W 9777.234

Dear Shipping Agent:

On June 20, 2005, the California State Lands Commission (Commission) approved regulations governing ballast water management for vessels operating on the West Coast of North America (Title 2, Division 3 Chapter 1 Article 4.6) (see Attachment A). **These regulations become effective March 22, 2006.** The Commission is asking for your assistance in notifying vessel owners and operators of these new regulations. The following is a summary of those regulations.

1. The regulations apply to all vessels arriving at a California port or place carrying ballast water from another port or place within the Pacific Coast Region.
 - a. Ports and places in the San Francisco Bay area east of the Golden Gate bridge including the Ports of Stockton and Sacramento, are considered the same California port or place
 - b. Ports of Los Angeles, Long Beach and the El Segundo marine terminal shall be considered the same California port or place.
 - c. The Pacific Coast Region is defined as all coastal waters (within 200 NM of land) on the Pacific Coast of North America east of 154 degrees W longitude (approximately equal to Cooks Inlet, Alaska) and north of 25 degrees N latitude (Baja California, Mexico), exclusive of the Gulf of California.
2. Qualifying vessels, as described above, must employ at least one of the following ballast water management practices:
 - a. Exchange the vessel's ballast water in near-coastal waters, before entering the waters of the state, if that ballast water has been taken on in a port or place or within the Pacific Coast region.
 - i. "Near-coastal waters" means waters that are more than 50 nautical miles from land and at least 200 meters (656 feet, 109 fathoms) deep.
 - b. Retain all ballast water on board the vessel.
 - c. Use an alternative, environmentally sound method of ballast water management that, before the vessel begins the voyage, has been approved by the commission or the United States Coast Guard as being at

Shipping Agents
March 1, 2006
Page 2

- least as effective as exchange, using mid-ocean waters, in removing or killing nonindigenous species.
- d. Discharge the ballast water to a reception facility approved by the commission.
- e. Under extraordinary circumstances, perform a ballast water exchange within an area agreed to by the Commission in consultation with the United States Coast Guard at or before the time of the request.

Please note, vessels arriving to a California port or place from a port or place outside the Pacific Coast Region must continue to exchange ballast water in mid-ocean waters, or retain all ballast water on board (Section 71204.3). Additionally, all vessels are still required to develop and maintain a vessel-specific ballast water management plan, develop and maintain a ballast water log, submit a completed and signed ballast water reporting form, and remit the required Fee to the Board of Equalization (See Attachment B – Key Components of the Law).

Because agents are one of the primary conduits of information for vessel operators entering California ports or places, your assistance in providing notice to them is greatly appreciated. With your help, we expect the implementation of these regulations will proceed smoothly. Thank you for your attention to this matter.

If you have any questions, please contact me at the numbers listed above. Otherwise, refer to the Commission's web page at <http://www.slc.ca.gov> for more information.

Sincerely,

Maurya B. Falkner
Marine Invasive Species Program Manager
Marine Facilities Division

Enclosures