

New California Requirements Biofouling Management Plans Affected

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Background

On 20 April 2017 the California State Lands Commission (CSLC) approved the "Biofouling Management Regulations to Minimize the Transport of Nonindigenous Species from Vessels Arriving at California Ports". These regulations, applicable to vessels >300 GT which call at California ports and are capable of carrying ballast water, will enter into force in two stages as described below.

Requirements

- Coming into force on **1 October of 2017**:
 - Repeal** of the reporting requirements for the Hull Husbandry Reporting Form, the Ballast Water Treatment Supplemental Reporting Form and the Ballast Water Treatment Annual Reporting Form
 - Adoption of the **Marine Invasive Species Program Annual Vessel Reporting Form**. This form should be submitted to the CSLC, in written or electronic form, at least 24 hours in advance of the first arrival of each calendar year at a California port of call.
- Coming into force on **1 January 2018** (applicable to new vessels built after 1 January 2018 and to existing vessels at their first dry-dock after 1 January 2018):
 - Development of a ship-specific **Biofouling Management Plan**, in accordance with CSLC requirements and as per IMO's 2011 Guidelines.
 - Development and maintenance of a **Biofouling Record Book**.
 - Prior to a vessel's arrival at a California port, biofouling on the wetted surfaces and on the following niche areas of the vessel should be managed using biofouling management practices appropriate for the vessel:
 - Sea chests;
 - Sea chest gratings;
 - Bow and stern thrusters;
 - Bow and stern thruster gratings;
 - ins stabilizers and recesses;
 - Out-of-water support strips;
 - Propellers and propeller shafts; and
 - Rudders.



Extended Residency Period

Vessels that undergo an extended residency period (i.e., remain in the same location for 45 or more days) should:

- Manage biofouling especially in the niche areas described above, using appropriate biofouling management practices for these vessels. Any biofouling management action to be documented in the Biofouling Record Book.
- Conduct activities to manage biofouling on the wetted surfaces of these vessels (e.g. in-water inspection, in-water cleaning, in-water treatment, or out-of-water maintenance). Appropriate entries describing such activities should be made in the Biofouling Record Book.

Emergency Exceptions

- An unscheduled arrival in California because of an emergency.
- The Division Chief, has been notified, in written or electronic form, of the emergency and provides details on the nature of the emergency, no later than twenty-four hours after the arrival and cessation of the emergency.
- The vessel will remain in California waters for 21 days or less.**
- The vessel has not arrived to another California port since the most recent of either the previous out-of-water maintenance or the vessel's delivery into service or the date when the vessel owner commenced ownership of the vessel.

Recommendations

Ship Operators / Managers are urged to inform their vessels as soon as possible. **Vessels intending to call at a California port should be provided with a ship-specific Biofouling Management Plan whilst maintaining the Biofouling Record Book up-to-date and submitting the "Marine Invasive Species Program Annual Vessel Reporting" Form at least 24 hours in advance of the first arrival of each calendar year at a California port.**

Ship Operators / Managers of vessels that are already provided with a ship-specific Biofouling Management Plan should update the Plan to also include California requirements.

AMC over the past years has prepared numerous Biofouling Management Plans for all types of vessels and can assist in the amendments to Plans (as necessary) in order to include the new California requirements on biofouling management.

For further information please contact [Mr. Philip Tschlis](#) or [Ms. Dorothea Filippidi](#).