

MINUTE ITEM

This Calendar Item No. C63 was approved as
Minute Item No. 63 by the California State Lands
Commission by a vote of 3 to 0 at its
4-26-05 meeting.

CALENDAR ITEM

C63

A)

)Statewide

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04/26/05

W 9777.234

C2004-051

M. Falkner

D. Brown

**REQUEST AUTHORITY TO ENTER INTO AGREEMENT TO CONDUCT
SHIPBOARD BALLAST WATER TREATMENT RESEARCH**

PARTY:

California State Lands Commission
100 Howe Avenue, Suite 100 South
Sacramento, CA 95825-8202

BACKGROUND:

Invasions by non-native aquatic species are increasingly common worldwide in coastal habitats (Ruiz et al. 2002a,b) and it is widely accepted that ballast water is the most important vector responsible for transporting and introducing non-native species to regions (Carlton and Geller 1993; Cohen and Carlton 1998). It has proven challenging, however, to find an environmentally friendly ballast water treatment that is effective at reducing the potential for introductions and yet acceptable to the shipping industry in terms of safety, time, cost, and space requirements. The exchange of ballast water is currently mandated by California to reduce introductions. However, the process is costly, is difficult or impossible to perform in bad weather, is not appropriate for some shipping routes that do not travel far enough offshore, and has limited effectiveness in some environments and for certain vessel designs (e.g., Cooper et al. 2002). Because of the issues associated with ballast water exchange it is viewed as an interim solution, while shipboard ballast water treatment technologies are being developed.

On-board demonstration projects are needed to determine the practical effectiveness of these alternative treatment methods as well as the efficacy of ballast water exchange. Information is needed not only on the engineering and practical application of the different treatment alternatives but also on the effectiveness in removing target organisms, environmental acceptability, safety, and monitoring practicality.

The Act requires the State Lands Commission (SLC) to

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“ . . . sponsor a pilot program for the purpose of evaluating alternatives for treating and otherwise managing ballast water. The goal of this effort shall be the reduction or elimination of the discharge of nonindigenous species into the coastal waters of the state or into waters that may impact coastal waters of the state. . . Priority shall be given to projects to test and evaluate treatment technologies that can be used to prevent the introduction and spread of nonindigenous aquatic species into coastal waters of the state by ship-mediated vectors.” (Public Resources Code Section 71210)

Furthermore, the Act mandates SLC to

“ . . . identify and conduct any other research determined necessary to carry out the requirements of this division. The research may relate to the transport and release of nonindigenous species by vessels, the methods of sampling and monitoring of the nonindigenous species transported or released by vessels, the rate or risk of release or establishment of nonindigenous species in the waters of the state and resulting impacts, and the means by which to reduce or eliminate a release or establishment . . . ” (Public Resources Code Section 71213).

PROPOSED ACTIVITY:

To meet these mandates, the Commission’s Marine Facilities Division has determined that research evaluating the effectiveness of shipboard ballast water treatment systems on vessels operating in California waters is needed. Since the enactment of the Act, Staff has worked with the maritime industry and technology vendors to help identify vessels interested in this research. Based on the willingness of vessel owners to participate in this research and vessel trade routes, Matson Navigation Company *MV Moku Pahu* was selected.

Matson Navigation has voluntarily invested in engineering feasibility analysis comparing the installation of two different onboard treatment systems. Both systems considered by Matson Navigation have undergone limited efficacy testing with promising results. Matson Navigation after reviewing the engineering analysis has elected to install Ecochlor’s Ecopod System. Based on the results of the analysis, an onboard ballast water treatment system will be installed on the *MV Moku Pahu* at an estimated total cost of \$565,000.

Staff proposes to financially assist Matson Navigation underwrite this project, which will retrofit the Ecopod Treatment System on the *MV Moku Pahu*. Utilizing funds from the Marine Invasive Species Control Fund budgeted for conducting necessary research, Staff proposes to grant \$100,000 to Matson Navigation to partially offset the

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engineering, acquisition, installation, and evaluation costs of the Ecopod System. In exchange, a Research Team, approved by CSLC will be allowed access to the vessel and all engineering analyses, diagrams and data regarding the biological and operational effectiveness of a vessel's treatment system. This work will provide valuable information on this system and treatment technology in real time on operating vessels during normal shipboard operations. These data are critical to the continued development of effective means of controlling nonindigenous aquatic species.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code Section 6106 (Delegation to Execute written instruments)
- B. Marine Invasive Species Act of 2003, Chapter 491, Statutes of 2003
- C. State Administrative Manual Section 1200
- D. State Contracting Manual (rev 11/04)

OTHER PERTINENT INFORMATION:

- 1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines [Title 14, California Code of Regulations, section 15060(c)(3)], the staff has determined that this activity is not subject to the provisions of the CEQA because it is not a "project" as defined by the CEQA and the State CEQA Guidelines.

Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, sections 15060 (c)(3) and 15378.

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

- 1. FIND THAT THESE ACTIVITIES ARE EXEMPT FROM THE REQUIREMENTS OF CEQA PURSUANT TO 14 CAL CODE REGS. 15060(c)(3) BECAUSE THESE ACTIVITIES ARE NOT PROJECTS AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND 14 CAL CODE REGS. 15378.

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2. AUTHORIZE THE EXECUTIVE OFFICER OR HIS DESIGNEE TO AWARD AND EXECUTE CONTRACT WITH MATSON NAVIGATION COMPANY IN ACCORDANCE WITH STATE POLICIES AND PROCEDURES TO CONDUCT SHIPBOARD BALLAST WATER TREATMENT RESEARCH IN AN AMOUNT NOT TO EXCEED \$100,000.