

OREGON TASK FORCE on the SHIPPING TRANSPORT of AQUATIC INVASIVE SPECIES

October 20th, 2009

1:30 – 4:00pm

*Conference Room HQ10 (10th Floor)
811 SW 6th Avenue, Portland, OR 97204*

Meeting Minutes:

1. In attendance: Mark Sytsma (PSU), Marla Harrison (Port of Portland), Ralph Breitenstein (HMSC), Krista Jones (LCREP), Dick Vander Schaaf (TNC), Martin Nugent (ODFW), Jim Townley (CRSOA), Eric Rickerson (ODFW), Stephen Phillips (PSMFC), Jeff Christensen (DEQ), Palmer Mason (DEQ), Dick Pedersen (DEQ), and Rian Hooff (DEQ). **On the phone:** Jessica Hamilton Keys (Governors Office), Tim Young (Sause Bros.), Nicole Dobroski (CSLC), Chris Scianni (CSLC), Lynn Takata (CSLC).

2. Welcome Comments made by DEQ Director Dick Pedersen

3. Presentation: Rian Hooff provided an overview of i) shipping transport of AIS concerns, ii) review of 2008 task force report and 2009 legislative progress, iii) overview of DEQ ballast water program activities, and iv) an overview of federal regulatory landscape regarding ballast water regulations.

Note: PowerPoint slides covering material presented was sent in 10/20/09 email to all task force members (.pps format). Contact Rian if you would prefer to receive the material in a different format.

4. Updates from Neighboring States

a. Three staff members from the CSLC Marine Invasions Program provided updates on different aspects of their program activities.

i. Nicole Dobroski commented on the recent release of their technology review of ballast water treatment systems. According to this review (attached), at least 7 shipboard treatment systems are capable of meeting the CA ballast water discharge standards (BWDS). In addition, she also noted that;

1. Ballast discharge standards for CA will begin to go into effect on January 1st, 2010, starting with new build vessels with ballast capacity less than 5000 m3.

*For more information contact:
Rian Hooff, OR DEQ
(503)229-6865 or hooff.rian@deq.state.or.us*

2. CA program fees will be increasing on November 1st from \$625 per arrival to \$850 per voyage.
 3. Amendments to their ballast water discharge standards are going to require vessels to install sampling ports on their treatment systems that enable inspectors to collect verification samples.
 4. Additional reporting forms are being developed in coordination with a technical advisory group to capture critical information regarding the use of on-board ballast treatment systems.
- ii. Lynn Takata commented on research work they are funding with treatment systems that have been installed on ships accepted (or in the process of being accepted) into the Coast Guard STEP program. She also commented on efforts to standardize inspection protocols amongst their shipboard inspector personnel across the state.
 - iii. Chris Scianni commented on their ongoing analysis of hull-husbandry survey forms that are now required (on an annual basis) from all vessels entering CA waters. The data gathered from these surveys provides information on key factors that can determine biofouling risk. Analysis of the data is ongoing and is being presented at various conferences. No determination about policy-making on this matter has been made.
- b. Allen Pleus from WDFW was unable to join us, but will hopefully be able to participate in our next meeting and provide an update at that time.

5. Elect chairperson for the 2009/10 task force

- Jim Townley nominated Mark Sytsma as chair. Mark accepted.

6. Open Discussion about task force priorities, goals and objectives

- In response to the USCG Notice of proposed rulemaking (Standards for Living Organisms in Ships' Ballast Water Discharged in U.S. Waters), no strong opinions were shared regarding whether or not the task force should pursue consensus comments for submittal prior to the end of the public comment period (December 5th, 2009). Multiple task force members suggested that more study would be required.
 - It was determined that once prepared, Rian would share the DEQ draft letter to USCG via email with task force members (by November 1st). This will serve as a starting point for task force member discussion about key points, concerns and/or disagreements. We can follow-up on any email correspondence

that transpires at our next meeting, which will be held in advance of the December 5th public comment deadline.

- Mark expressed concern that the rate of on-time/complete reports has remained relatively unchanged at about 80%. There was general agreement that a change to the Ballast Water OAR's so that vessels would be required to submit reports directly to DEQ may be in order.
- Rian shared a draft list of potential rulemaking topics for DEQ/EQC to adopt in 2010. An amended list of those topics, for task force consideration, is listed below.
 - More efficient and/or direct reporting requirements.
 - Contingency plans/requirements for high-risk discharge and/or safety exemption vessels.
 - Fee for Safety exemption vessel arrivals
 - Update enforcement categories to include BWM Plan implementation violations.
 - Establish penalty schedule.
 - Expanded Inspection protocols/options (in particular, resources for sampling (CDOM; Plankton).
 - Ballast Water Discharge Performance Standards and implementation timeline.
- On the issue of ballast water discharge standards, it was noted that EQC/DEQ has rulemaking authority (resulting from HB 2714) to adopt discharge standards via rule that could facilitate coastwide consistency on this issue, though we are not mandated to complete this task by any particular date. It was noted that if any effort is pursued it should be done in concert with Washington State. Other comments suggested that the USCG timeline could easily be pushed back, especially the transition from phase I to phase II.
- Marla Harrison noted the importance that the task force continue to pay attention to developments regarding hull-husbandry/bio-fouling concerns and the status of new anti-fouling paint technologies that are being used.
 - Mark Sytsma suggested that Ian Davidson be invited to present an update on his bio-fouling research (in the Columbia and elsewhere) to the task force.
- In order to simplify meeting time coordination, it was suggested that we establish a routine monthly timeslot that could be tentatively reserved for STAIS task force meetings. Based on the comments/suggestions of those present, we tentatively settled on the afternoons of the 2nd Thursday of each month. Thus, our next meeting is scheduled for Thursday, November 12th.
- It was noted that the ODFW representative responsibilities will likely be transferred from Martin Nugent to Eric Rickerson.

7. Meeting adjourned at 3:50pm

*For more information contact:
Rian Hooff, OR DEQ
(503)229-6865 or hooff.rian@deq.state.or.us*

*For more information contact:
Rian Hooff, OR DEQ
(503)229-6865 or hooff.rian@deq.state.or.us*