

OREGON TASK FORCE on the SHIPPING TRANSPORT of AQUATIC INVASIVE SPECIES

*November 12th, 2009
1:30pm*

*DEQ Headquarters - Conference Room 8
811 SW 6th Avenue, Portland, OR 97204*

Meeting Minutes:

1. **In attendance:** Mark Sytsma (chair), Marla Harrison, Dick VanderSchaaf, Karen Hays, Pat Grill, Rian Hooff
On the phone: Jessica Hamilton Keys, Ralph Breitenstein, Dick Lauer, Erik Rickerson, Allen Pleus

2. **USCG NPRM Discussion:**

The only agenda item for this meeting was to review and discuss the draft letter that Rian prepared on behalf of the Task Force for submitting comments to the US Coast Guard on its notice of proposed rulemaking regarding 'Standards for Living Organisms in Ships' Ballast Water'. The following summarizes task force discussion about each section/bullet point in the letter.

Introduction:

- Jessica Hamilton Keys suggested that the STAIS letter and/or DEQ letter acknowledge the West Coast Governors Agreement on Ocean Health.
- Delete (or further clarify) last sentence of 2nd paragraph regarding economic burden of the proposed rules (Marla Harrison).

USCG/EPA Coordination:

- Add more detail, be more explicit, about how this coordination should be achieved (USCG rules should reference EPA) and mention that we will recommend/support that EPA adopt these rules. (Marla Harrison/Mark Sytsma)

Approach towards establishing/setting BWDS

- Maintain same sentiment, but remove reference/link to adopting EPA model/methods (Dick Lauer, Marla Harrison, Karen Hays).
- Set desirable level of protection (adequate level of risk), but then set lower limit that is acceptable based on BAT (Dick VanderSchaaf, Mark Sytsma)

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Favor Phase II BWDS over Phase I

- Be more forceful and direct in stating that Phase I is inadequate. Less squishy with the language/word choice (Dick Lauer).
- Revise CSLC statement to suggest that it may be possible to implement phase two for some vessel types sooner than indicated in NPRM, rather than saying that 'we question the need to delay phase 2 until 2016' (Marla Harrison).

Allocation of resources to complete tasks

- Rephrase statement to suggest that we recognize a general lack/paucity of funding to complete this rulemaking effort in a timely fashion, not just within USCG, but other participating agencies (e.g. OMB) (Mark Sytsma)
- Add reference to fund allocation to support technology development (grants?)
- Include reference to finishing the Environmental Technology Verification document that will establish testing and performance benchmarks for technology developers. It was generally acknowledged that any discharge standard that is below a detection limit would be extremely frustrating from a vessel operator standpoint (Karen Hays, Dick Lauer).

Conclusion

- Rephrase to be more forceful regarding main take home points (remove backpedaling language). (Mark Sytsma).

Logistics

- Public comment period closes 12/4/09.
- Rian will produce a second version of the letter for task force member consideration by Tuesday 11/17/09. Members will have until 11/30 to provide comments or initiate further discussion via email about the content of the letter.
- Letter will be signed by Task Force Chair, Mark Sytsma.
- Question regarding letter head that should be used for the letter....DEQ? State of Oregon? PSU? Or simple 'Task Force' document. (TBD)

3. Future Meetings

- Multiple people were going to be unable to attend a meeting on the 2nd Thursday of December, so we will be skipping a December meeting. Our next meeting will be January 14th at DEQ Headquarters in Portland.
- Primary topics for future meeting(s) include: i) Ballast water program funding challenges/solutions, ii) Ballast water program rulemaking agenda/timeline and iii) Biofouling research update.

4. Meeting adjourned at 2:45pm

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