

**Comments on notice of proposed rule making: Mandatory Ballast Water  
Management Program for U.S. Waters**

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Section 151.2036 of the proposed rule would exempt coastal voyages from conducting an exchange. In Washington State approximately half of the ballast discharged into our waters comes from coastal waters in California that contain high numbers of invasive species. This exemption will not protect Washington waters from the spread of invasive species from coastal origin and underscores the continued need for state law that does require exchange for coastal voyages, at least 50 miles from shore. How will the Coast Guard address the need for a west-coast regional program to address coastal exchange? Ballast is sometimes moved short distances within common waters that often mix. How will the Coast Guard address the issue of allowing ballast to be moved within waters that could be considered common?

Section 151.2035 will require vessels that cannot perform one of the other options to conduct a ballast exchange. A rule that is not verifiable is essentially voluntary which the Coast Guard has shown to provide inadequate compliance. How will the Coast Guard verify that a vessel has conducted an exchange in accord with the rule? How will local Coast Guard port-state control officers be involved in exchange verification, and how will they receive ballast reporting data since ballast reports are sent to the Smithsonian in Washington D.C.?

Some vessels, such as ATB's and ITB's are not designed well to conduct an exchange, and they discharge significant volumes of high-risk un-exchanged ballast into Washington waters. Will the Coast Guard identify high-risk vessels and encourage/require those vessels to install treatment systems?

Does the Coast Guard have any funding to conduct ballast water treatment research on-board vessels? Is this level of funding sufficient to research needed ballast treatment options? If not, what actions is the Coast Guard taking to increase these funds or to partner with others, such as ports and states to develop ballast research cooperative projects?

The Coast Guard has stated that congressional mandate is clearly for a Federal-State cooperative regime in combating the introduction of ANS. What actions is the Coast Guard taking to develop a well-defined cooperative Federal/State program for ballast management? What does the Coast Guard consider to be the proper state role in ballast management? Does the Coast Guard plan to engage state agencies in all coastal states in dialogue to consider clarifying the states role? Should the States potential role be clarified in rule?