



October 20, 2011

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814



Re: Proposed Amendments to the 2009 California Ocean Plan - Model Monitoring and Vessel Discharge Amendments – Public Comment Submission

Dear Ms. Townsend:

The Pacific Merchant Shipping Association (PMSA) appreciates the opportunity to submit comment on behalf of our member companies on the proposed amendments to the “2009 California Ocean Plan - Model Monitoring and Vessel Discharge Amendments”; specifically those provisions outlined in Section 3.2 (Issue 2) of the staff report dealing with *Control of Commercial Vessel Discharges*.

The PMSA is a regional maritime trade association representing ocean-going vessels calling in California’s commercial ports. Our member companies carry the vast majority of the containerized goods moving into and out of the state in international maritime trade.

Our organization has been actively engaged in the development of all of the state and federal statutes and regulations that are referenced in this report. As such we have established an extensive administrative record on all of the provisions outlined in Section 3.2. That record outlines our position on each individual provision. We will not reiterate those positions in full here; instead we would respectfully incorporate that record by reference in regards to the inclusion of those provisions within the scope of the Ocean Plan. All statements, positions and concerns previously submitted into the administrative record continue to reflect our current positions.

In addition, we would provide specific comment to Section 3.2.9 (page 61) of the report, subtitled *Proposed Changes to the 2009 Ocean Plan - Section (III)(K)(3)*, which is drafted to read:

“Vessel discharges must not result in violations of water quality objectives in this plan.”

Because the intent of the proposed amendments is to align the Ocean Plan with adopted international, federal and state laws and regulations covering discharges from commercial vessels, Section (III)(K)(3) as currently drafted would create a separate and unique requirement not specified or referenced in the respective international, federal and state laws and regulations that are the foundation of this proposal. We would therefor request that Section (III)(K)(3) be amended to read:

“Vessel discharges must not result in violations of State, Federal or International laws.”

Thank you again for the opportunity to comment on these amendments. We would be happy to answer any questions you might have.

Sincerely,

A handwritten signature in cursive script that reads "John Berge".

John Berge
Vice President