

MARINE BIOINVASIONS FACT SHEET:



REGULATIONS

FEDERAL

The National Invasive Species Act of 1996 (H.R. 4283) reauthorizes and amends the Aquatic Nuisance Prevention and Control Act of 1990. It requires the creation of voluntary guidelines for the control and introduction of nonindigenous species via ballast water in the Great Lakes within six months; voluntary guidelines for all United States waters regarding the introduction of nonindigenous species through ballast water within one year; and mandatory regulations for ballast water management the Great Lakes within two years of the enactment of the act. Ballast water exchange in open ocean waters is currently the recommended method of ballast water management. This act does have provisions that allow exceptions of ballast water exchange for vessels that use another approved method to remove organisms from ballast water. This enables easy implementation of new control technologies that may be developed in the future. Operators who disobey mandatory regulations are subject to a fine of up to \$25,000 per day, a criminal penalty of a Class C felony, or revocation of clearance to enter U.S. waters. These penalties are waived if the operator did not exchange ballast water due to safety concerns.

The National Invasive Species Act of 1996 also provides resources for research into nonindigenous species issues. It calls for ecological and ballast water surveys in San Francisco Bay, Chesapeake Bay, Honolulu Harbor, and other bodies of water that are determined to have a high risk of invasion by nonindigenous species. Funds for regional research grants are provided and an investigation of methods to control the inland spread of nonindigenous species is initiated. A National Ballast Water Clearinghouse is created to collect information on ballast water use and management in the United States. This act also requests the Armed Forces to implement ballast water management programs to their fleets.

INTERNATIONAL

The International Maritime Organization (IMO), an United Nations organization, has been developing ballast water management guidelines during the past decade. In 1991 the IMO announced voluntary

guidelines for preventing the introduction of exotic species through ballast water. Member nations were asked to implement these guidelines in 1993. The IMO is working on adding ballast water regulations to the International Convention for the Prevention of Pollution from Ships, 1973 (MARPOL). Currently, the recommended method for preventing the introduction of organisms through ballast water is the exchange of ballast water in the open ocean.

Because the transfer of nonindigenous species via ballast water is an international issue, regulations for the management of ballast water to prevent introductions will be most effective if applied internationally.

REFERENCES

"Nonindigenous Aquatic Nuisance Prevention and Control Act " <<http://anstaskforce.gov/nanpca.htm>>