

**BALLAST WATER MANAGEMENT**

**WHEREAS**, shipping moves over 80% of the world's commodities and transfers around 10 billion tons of ballast water across the globe each year; and,

**WHEREAS**, ballast water is absolutely essential to the safe and efficient operation of modern shipping, providing balance and stability to ships; and,

**WHEREAS**, the discharge of ballast water into coastal waters may also pose a serious ecological, economic and health threat; and,

**WHEREAS**, the lack of strong international ballast water management regulations has led individual nations, political subdivisions of nations (e.g., states, provinces, cities) and some public port authorities to establish ballast water management regulations; and,

**WHEREAS**, the adoption of disparate ballast water management regulations does little to protect the environment, creates potential safety and compliance difficulties for vessels, and alters the competitive position of ports; and,

**WHEREAS**, the member nations of the International Maritime Organization have adopted the "International Convention for the Control and Management of Ships' Ballast Water and Sediments" (the "Ballast Water Convention") to prevent, minimize and ultimately eliminate the transfer of harmful aquatic organisms and pathogens through the control and management of ships' ballast water and sediments;

**NOW, THEREFORE, BE IT RESOLVED** that the American Association of Port Authorities commends the member nations of the International Maritime Organization for their hard work in adopting the Ballast Water Convention; and,

**BE IT FURTHER RESOLVED** that the American Association of Port Authorities urges member nations of the International Maritime Organization to expeditiously ratify the Ballast Water Convention, and to adopt safe, effective, and legally binding ballast water management regulations for all vessels in accordance with the Ballast Water Convention.

## E-3

### VESSEL TRAFFIC SERVICES

**WHEREAS**, the Port and Tanker Safety Act of 1978 empowers the U.S. Coast Guard to develop and operate vessel traffic services in ports of the United States;

**WHEREAS**, the U.S. Coast Guard has historically funded, installed, operated, and maintained such VTS systems under its aids to navigation responsibilities;

**WHEREAS**, there is concern over the Coast Guard's future fiscal capability to continue to wholly fund, install, operate, and maintain such VTS systems because of limited fiscal resources; and

**WHEREAS**, the need for and nature of such services varies among port regions depending on port geography, traffic, meteorology, and other factors including navigation hazards to be overcome by such vessel traffic services;

**NOW, THEREFORE, BE IT RESOLVED** that the American Association of Port Authorities supports the continued maintenance and improvement of established vessel traffic services where so desired by the local port and shipping interests, and urges that sufficient funds be appropriated by the Congress for said purpose;

**BE IT FURTHER RESOLVED** that the American Association of Port Authorities urges the establishment of local port advisory committees to assist the Coast Guard in its planning and implementation of future vessel traffic services, public or private;

**BE IT FURTHER RESOLVED** that Congress and the Coast Guard must ensure port authorities are shielded from liability arising out of a marine casualty within a port's VTS area, if VTS systems are privatized; and

**BE IT FURTHER RESOLVED** that the American Association of Port Authorities urges Congress and the Coast Guard to provide ample opportunity for port authorities to actively participate and meaningfully comment at all stages of the decision-making process on policy issues including funding, scope, operation, and liability of privatizing VTS systems.

**Resolution E-3 of 2009 (Galveston)**

**CONTAMINATED SEDIMENT MANAGEMENT AND  
DREDGED MATERIAL TESTING**

**WHEREAS**, the American Association of Port Authorities endorses the national legislative standards in the Marine Protection, Research, and Sanctuaries Act and the Clean Water Act that call for protection of aquatic ecosystem diversity, productivity and stability, and the potential for adverse changes in species and community population dynamics; and

**WHEREAS**, because dredging is essential to maintaining the viability of our harbors and waterways, the AAPA is committed to manage dredging and dredged material relocation in the most economic manner consistent with sound environmental stewardship; and

**WHEREAS**, the presence of contaminants in sediments can represent a threat to our aquatic ecosystems if these contaminants are bioavailable; and,

**WHEREAS**, international experts have prepared a new treaty governing the disposal of dredged material into the ocean which incorporates the state-of-the-art sediment assessment and management practices; and,

**WHEREAS**, in those cases where contaminated sediments are identified in navigation channels, the environmental problem can be addressed through careful management practices;

**NOW, THEREFORE, BE IT RESOLVED** that numeric values for chemicals of concern in sediments should be developed only as guidelines to determine whether further testing is necessary rather than as criteria or standards. This is advisable because the biological availability of sediment contaminants or the adverse impacts of chemicals of concern on populations or communities of marine organisms cannot be determined from sediment chemistry alone;

**BE IT FURTHER RESOLVED** that risk-based approaches be used to examine potential effects of the bioavailable contaminants on marine organisms at the population and community level;

*(Continued)*

**E-10** *(continued)*

**CONTAMINATED SEDIMENT MANAGEMENT AND  
DREDGED MATERIAL TESTING**

**BE IT FURTHER RESOLVED** that the Corps and EPA should consult with port authorities to develop regional guidance for different areas of the country for the Tier II testing protocols outlined in the Inland Testing Manual that would take advantage of the rich database available to support theoretical bioaccumulation analysis. Analysis of population and community effects through ecological risk assessment can be performed in many cases using theoretical bioaccumulation potential rather than by direct testing of marine organisms. Given both the expense of the tests and ambiguity in the interpretation of the results, direct testing of marine organisms should be reserved for circumstances where an ecological or human health risk assessment based on theoretical bioaccumulation indicate that there is cause for concern and further testing is warranted;

**BE IT FURTHER RESOLVED** that, while the AAPA recognizes that scientists will continue to develop new techniques that more accurately and efficiently allow analysis of the potential direct and indirect effects of contaminated sediments, we caution against the adoption of new analytical tests as the basis for regulatory decisions until they are sufficiently developed to be demonstrated predictors of ecological effects at the community level. To ensure this, new testing must be subject to rigorous peer review including the Corps of Engineers, EPA, port authorities, the academic community, and private testing laboratories, and subject to notice and comment prior to implementation;

**BE IT FURTHER RESOLVED** that capping or confined aquatic disposal is a proven, effective management technique when contaminated sediments are encountered, and delays in implementing these measures should be minimized.

**Resolution E-10 of 2009 (Galveston)**

## USE OF ALTERNATIVE FUELS

**WHEREAS**, the American Association of Port Authorities and their member ports are committed to responsible environmental stewardship, sustainability, and have already taken a leadership role on a number of important environmental issues, and

**WHEREAS**, the use of domestically produced alternative and substantially cleaner conventional fuels, equipment with advanced pollution control technologies, efficiency improvements, and other strategies in the transportation sector can help achieve the goals of decreasing the dependence on foreign oil and increasing energy security, and

**WHEREAS**, alternative fuels are substantially non-petroleum and yield energy security and environmental benefits, including, but not limited to, natural gas, propane, alcohol (in mixtures of no less than 70% of the alcohol fuel), hydrogen, fuels derived from biological materials, electricity (substantially generated from renewable sources such as hydro, wind, and solar energy; and other renewable fuels), and other low carbon alternatives, and

**WHEREAS**, some member ports have extensive experience with the use of alternative and substantially cleaner conventional fuels, equipment with advanced pollution control technologies, efficiency improvements, and other strategies, and

**WHEREAS**, vessels, cargo-handling equipment, locomotives, buses, and trucks that support the port-related industry are generators of air pollutants and greenhouse gases, and

**WHEREAS**, ports and related industries are dependent upon reliable and affordable fuels, and

**WHEREAS**, the impact that the ports represented by the AAPA can have on reducing air pollution and reliance on petroleum-based fuels would be significant,

**NOW, THEREFORE, BE IT RESOLVED** by the American Association of Port Authorities that

Section 1. The American Association of Port Authorities will encourage member ports to use alternative and substantially cleaner conventional fuels, equipment with advanced pollution control technologies, efficiency improvements, and other strategies to increase energy independence, reduce air pollution, and contribute to domestic economic vitality where feasible and practicable.

## **USE OF ALTERNATIVE FUELS**

Section 2. The American Association of Port Authorities will assist members, through educational venues and other methods and means, in increasing the understanding and awareness of their customers, tenants, and neighbors of the benefits of using alternative and substantially cleaner conventional fuels, equipment with advanced pollution control technologies, efficiency improvements, and other strategies; facilitating access to related technical information; and providing information about available incentives to support such strategies where feasible and practicable.

Section 3. The American Association of Port Authorities will encourage members to facilitate increased use of alternative and substantially cleaner conventional fuels, equipment with advanced pollution control technologies, efficiency improvements, and other strategies in port areas by sharing technical and educational information and by working collaboratively with each other and entities such as U.S. EPA, U.S. Dept of Energy, Clean Cities Coalitions in port areas, state and local energy and environmental agencies, alternative fuel producers and distributors, and others.

### **Resolution E-18 of 2009 (Galveston)**

