



HEALTHYLAKES.ORG

May 23, 2007

The Honorable Daniel K. Inouye
Chairman
Committee on Commerce, Science and
Transportation
Washington, DC 20510

The Honorable Ted Stevens
Ranking Member
Committee on Commerce, Science and
Transportation
Washington, DC 20510

The Honorable James L. Oberstar
Chairman
Committee on Transportation and
Infrastructure
Washington, DC 20515

The Honorable John Mica
Ranking Member
Committee on Transportation and
Infrastructure
Washington, DC 20515

Dear Mr. Chairmen and Ranking Members:

On behalf of the Healing Our Waters-Great Lakes Coalition[®], we want to let you know that our Coalition supports a moratorium of ocean vessels in the Great Lakes until Congress passes aquatic invasive species legislation that begins to take steps to immediately protect the Great Lakes from new aquatic invasive species. We take this position with all seriousness knowing that a moratorium would likely impact people's lives. We also know, however, that allowing ocean vessels to continue entering the Great Lakes without requiring them to treat their ballast water leads to more invasions of invasive species and to greater economic and environmental harm of the Great Lakes and U.S. waters.

The Healing Our Waters Coalition is a group of over 90 national, regional, and local organizations working to restore and protect the Great Lakes. The Coalition represents millions of Americans that live near, work near and love this national treasure.

Aquatic invasive species are one of the biggest threats facing the Great Lakes today. The Great Lakes Regional Collaboration said in its 2005 report that the world's greatest freshwater lakes are "succumbing to an irreversible 'invasional meltdown' that may be more severe than chemical pollution." Invasive species cost the Great Lakes region an estimated \$5 billion every year. There are 185 invasive species already in the Great Lakes and another is discovered every 28 weeks.

Although the threat to the Great Lakes must be addressed, we believe doing so is best accomplished by being part of a national solution. Zebra and quagga mussels first introduced into the Great Lakes from the ballast discharges of ocean vessels are now found as far west as Oklahoma and Nevada. Asian carp, which were first discovered in the lower Mississippi River, are now 40 miles from Lake Michigan.

The Great Lakes region and our nation need a comprehensive approach that prevents new invasive species from destroying our environment and economy. Our region has tremendous leadership in Congress that has been bringing attention to this issue. The Great Lakes Collaboration Implementation Act of 2007 (H.R. 1350 and S. 791) lays the solid foundation that is needed to address all of the serious problems the Great Lakes face. We appreciate the Great Lakes members that serve on your committees for their ongoing support.

However, even with this support, Congress has taken too long to address this issue. Experience shows that the longer we wait, the more difficult and expensive it becomes to stop aquatic invasive species from destroying our Great Lakes economy, environment and way of life. We are talking about 95 percent of this country's fresh surface drinking water. The Great Lakes are a source of employment, recreation and enjoyment for millions of Americans. They define the landscape of our nation and spirit of our region. Stopping invasive species must be a national priority.

That is why we believe that Congress must pass legislation that will alleviate the need for a moratorium – if passed this year. Because committee jurisdictions do not allow for a comprehensive bill, we hope your committees will consider legislation that regulates ballast water discharges. We believe that each of the following commonsense principles must be incorporated into legislation your committees consider:

Standards: Legislation should establish an effective and environmentally sound protective ballast water discharge standard. Both H.R. 1350 and S. 791 provide a standard that we support. We also support setting a zero discharge goal and establishing a process to help meet that goal in a timely manner. We believe the Environmental Protection Agency is best suited to develop these performance standards and the Coast Guard is best suited to certify the technology on board ships can meet these standards and to ensure the standards are being enforced.

Best Available Technology: Legislation should not delay in getting technology on board ships. We support setting best performing standards and regularly re-evaluating them to ensure that standards and technology reflect the best available scientific and technological information. As information and technology improve, treatment performance standards and technology should be subject to review and revision to stricter levels.

Deadlines: Legislation should be consistent with the deadlines recommended in the Great Lakes Regional Collaboration's "Strategy to Restore and Protect the Great Lakes." The GLRC Strategy recommended setting a 2011 deadline for regulations in order to protect the Great Lakes and U.S. waters from new invaders. We support that goal.

NOBOBs: In the period leading up to the treatment deadlines set by legislation, any bill must immediately improve the protection of the Great Lakes by requiring ocean vessels to conduct salt-water flushing or equivalent procedures outside the Exclusive Economic Zone regardless of whether they are in the No Ballast On Board condition. Salt-water flushing has been shown to reduce the risk of invasive species introductions. This can only be an interim step, however, as consistent treatment to a protective standard is the best overall approach.

State flexibility: Legislation must not prevent states from taken action to protect their waters from invasive species. While we agree that a national standard is necessary, states are best positioned to recognize those areas that may need special attention, such as rapid response. Hopefully, a strong national standard will alleviate the need for states to take further action. We expect, however, Congress to maintain the principles found in the Clean Water Act that allows Great Lakes states to provide greater protections for their waters.

Early Detection/Rapid Response: Legislation should provide for the early detection of species and allow state and Federal agencies to coordinate emergency rapid response onboard ships when it is still possible to control the spread of invasive species between lakes. In order to rapidly respond to aquatic invasive species that have been found in a state's waters, states should also be allowed to require that ships comply with management plans.

Although your committees cannot consider a comprehensive bill, we believe that Congress must also consider other aspects of a comprehensive approach to addressing this issue. Congress must enact laws that provide funds for early detection and rapid response to state and Federal agencies. You should support education and outreach, which is critical in engaging the public in this effort. Screening the import of new species before they enter trade in the United States is also important. A three-tiered system, as recommended by the GLRC, is desirable as is screening species already in trade. We also believe that a robust research agenda should be instituted.

The Great Lakes and the people who rely on them need action now to protect the Great Lakes and all U.S. waters from another aquatic invader. We believe that Congress must pass legislation this year requiring ocean vessels to treat their ballast discharges. In the interim, ocean vessels should be prohibited from entering the Great Lakes and the goods they carry be shifted to other transportation modes.

Please do not hesitate to contact Chad Lord, policy director for the Coalition, at 202-454-3385 or clord@npca.org with any questions.

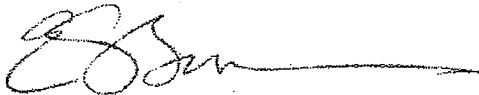
Sincerely,



Tom Kiernan
Co-Chair
Healing Our Waters-Great Lakes Coalition



Andy Buchsbaum
Co-Chair
Healing Our Waters-Great Lakes Coalition



Emily Green
Co-Chair
Healing Our Waters-Great Lakes Coalition

Cc: Great Lakes Committee Members
Congressional Great Lakes Task Force Co-chairs