

Alliance for the Great Lakes * American Rivers * Audubon New York * Caloosahatchee RiverWatch * Chesapeake Bay Foundation * Citizens Campaign for the Environment * Clean Water Action * Clean Water Action-Michigan * Clean Water Network * Colorado Watershed Assembly * Earthjustice * Endangered Habitats League * Environment America * Flow for Water, Great Lakes Coalition * Freshwater Future * Galveston Bay Foundation * Great Lakes Environmental Law Center * Great Lakes United * Gulf Restoration Network * Hudson River Sloop Clearwater, Inc. * Huron Sportsman's Association * Illinois Council, Trout Unlimited * Izaak Walton League of America * Kalamazoo River Cleanup Coalition * Kentucky Resources Council Inc. * Lake Champlain Committee * Lake Erie Region Conservancy * Lake Erie Waterkeeper Inc. * League of Conservation Voters * Michigan Trout Unlimited * Michigan United Conservation Clubs * Michigan Wildlife Conservancy * Milwaukee Riverkeeper * Minnesota Waters * National Audubon Society * National Environmental Coalition on Invasive Species * National Wildlife Federation * Natural Resources Defense Council * Nature Abounds * New Jersey Audubon * Ohio Division, Izaak Walton League * Ohio Environmental Council * Prairie Rivers Network * Restore America's Estuaries * River Network * Sanibel Captiva Conservation Foundation * Save the Dunes * Shaker Lakes Garden Club * Sierra Club * Snook and Gamefish Foundation * Tip of the Mitt Watershed Council * Trout Unlimited * Washtenaw Sportsman's Club

November 4, 2011

Dear Representative:

On behalf of the undersigned organizations and our millions of members and supporters nationwide, we urge you to oppose the ballast water provisions of HR 2838, the Coast Guard and Maritime Transportation Act of 2011. The Rules Committee print of HR 2838 includes another bill, HR 2840, the Commercial Vessel Discharges Reform Act of 2011 that would eliminate the tools used by both federal and state officials to control the introduction of aquatic invasive species from vessels' ballast water. We believe that passage of these provisions would jeopardize the health of our nation's aquatic ecosystems, exacerbate the spread of invasive species, undermine recreational and commercial fishing interests and generally threaten regional economies that depend on healthy waterways.

We agree that congressional action to address aquatic invasive species is needed, as they are one of the most significant threats to our nation's waters, yet this bill lowers, rather than raises standards and would leave our nation's waters at risk. In the Great Lakes alone more than 185 aquatic invasive species are already disrupting the food chain, fouling beaches and damaging infrastructure – costing citizens, industry and businesses in these states at least \$200 million per year, according to researchers at the University of Notre Dame. Furthermore, more than thirty percent of the invasive species entering the Great Lakes have come in ballast water, including zebra mussels, which have had a significant negative economic impact on the regions.

Many states across the country face significant threats from aquatic invasive species, including New York, California, Illinois, Michigan, Hawaii and Florida, among others. Several states have engaged in proactive efforts by the states to protect their own waters would be preempted by this bill. A 2009 New York State Supreme Court decision reaffirmed that the state has the authority

to adopt stronger ballast water standards than federal standards; this decision was consistent with a similar ruling by a federal appeals court regarding Michigan's ballast water rules.

Preventing the introduction of invasive species is the most effective way to ensure that these problems do not continue to plague our nation's waters. Weakening our ballast water discharge standards and the tools necessary to enforce them set the stage for other aquatic invaders to further threaten the health of these important ecosystems. The bill would codify a weak international standard (the International Maritime Organization standard) that has proven to be ineffective when it comes to protecting our nation's aquatic ecosystem from invasive species, and would eliminate the tools used by both federal and state officials to control the introduction of aquatic invasive species from vessels' ballast water.

This bill would be a step back from important efforts to prevent future aquatic invasive species. Specifically, we object to the provisions in the bill which would:

- Remove an important federal permit requirement under the Clean Water Act (CWA) restricting the release of ballast water into navigable waters, 33 U.S.C. §1342;
- Preempt states from adopting discharge standards, including standards that are more stringent than the minimum standards in the bill;
- Undermine the goals of the Clean Water Act by restricting public participation;
- Repeal portions of the Nonindigenous Aquatic Nuisance Prevention and Control Act (NANPCA) that establish a Task Force to prevent the spread of nonindigenous nuisance species; and
- Endanger overall water quality by greatly reducing the standards placed on technology and review.

These provisions would severely limit the ability of state and federal agencies to reduce the threat of aquatic invasive species, opening the door to future threats. We urge you to oppose these provisions to protect the health of our nation's waters.

Sincerely,

American Rivers

Earthjustice

Environment America

League of Conservation Voters

National Audubon Society

National Environmental Coalition on
Invasive Species

National Wildlife Federation

Natural Resources Defense Council

Sierra Club

Trout Unlimited

Alliance for the Great Lakes

Audubon New York

Caloosahatchee RiverWatch

Chesapeake Bay Foundation

Citizens Campaign for the Environment

Clean Water Action

Clean Water Action-Michigan

Clean Water Network

Colorado Watershed Assembly

Endangered Habitats League

Flow for Water, Great Lakes Coalition

Freshwater Future

Galveston Bay Foundation

Great Lakes Environmental Law Center

Great Lakes United

Gulf Restoration Network

Hudson River Sloop Clearwater, Inc.

Huron Sportsman's Association

Illinois Council, Trout Unlimited

Izaak Walton League of America

Kalamazoo River Cleanup Coalition

Kentucky Resources Council Inc.

Lake Champlain Committee

Lake Erie Region Conservancy

Lake Erie Waterkeeper Inc.

Michigan Trout Unlimited

Michigan United Conservation Clubs

Michigan Wildlife Conservancy

Milwaukee Riverkeeper

Minnesota Waters

Nature Abounds

New Jersey Audubon

Ohio Division, Izaak Walton League

Ohio Environmental Council

Prairie Rivers Network

Restore America's Estuaries

River Network

Sanibel Captiva Conservation Foundation

Save the Dunes

Shaker Lakes Garden Club

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