

**\*\*Alliance for the Great Lakes\*\*APT Environment\*\*Buffalo Audubon Society\*\*Coalition for a Nuclear Free Great Lakes\*\*Don't Waste Michigan\*\*Flint River Watershed Coalition\*\*Freshwater Future\*\*Great Lakes United\*\* Izzak Walton League- Great Lakes Committee\*\*Lake Erie Waterkeeper Inc.\*\*Lake Ontario Trout and Salmon Association\*\*London & District Labour Council\*\*National Wildlife Federation\*\*Natural Resources Defense Council\*\*Niagara Watershed Alliance\*\*Ohio Environmental Council\*\*Save the River\*\*Vera Cruz Yacht Club\*\***

October 12, 2011

Dear Representative:

On behalf of the 18 undersigned organizations, including members of the National Environmental Coalition on Invasive Species, we are writing to express our concern with bill H.R. 2840 currently in the House Committee on Transportation and Infrastructure. We represent environmental, conservation, fishing and boating organizations joined together by our efforts to protect the Great Lakes and St. Lawrence River region from the introduction of harmful invasive species. If this measure is brought before the Committee without significant amendments, the undersigned organizations strongly urge you to vote against it.

We appreciate the Committee's attention to a critical problem in our Nation's aquatic ecosystems: invasive species in vessels' ballast water discharges. But, as currently drafted, the bill is unacceptable because it would eliminate multiple tools used by both Federal and State officials to control the introduction of aquatic invasive species from vessels' ballast water.

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; and
- 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;
- Endanger overall water quality by greatly reducing the standards placed on technology and review.

Individually and in combination, the above proposed provisions result in a bill that severely curtails, rather than advances, efforts to curb invasive species.

As representatives of public groups, we want to emphasize our opposition to provisions in the bill which severely undermine public participation provided for by the CWA, 33 U.S.C. §1251(e). The public is

currently assured a say in water quality standards, the issuance of permits, and the revision of technology standards. In its current form, H.R. 2840 eliminates all these avenues of public participation.

Federal permits, state requirements, public participation, and the NANPCA provide essential tools for controlling water-borne invasive species coherently in the United States. We urge you not to replace them with a weak federal program inadequate to protect water quality. Please support efforts to remove provisions in H.R. 2840 that attack these safeguards, and please oppose the legislation if it moves forward in its present form.

Thank you for considering our views on this important issue.

Sincerely,

Jared Tuetsch  
Water Policy Advocate  
Alliance for the Great Lakes  
Chicago, Illinois

Susan Bryant  
Coordinator  
APT Environment  
Ontario, Canada

Loren H. Smith  
Executive Director  
Buffalo Audubon Society  
North Java, New York

Michael J. Keegan  
Coordinator  
Coalition for a Nuclear Free Great Lakes  
Monroe, Michigan

Alice Hirt  
Director  
Don't Waste Michigan  
Holland, Michigan

Rebecca Fedewa  
Executive Director  
Flint River Watershed Coalition  
Flint, Michigan

Cheryl Mendoza  
Associate Director  
Freshwater Future  
Spring Lake, Michigan

Jennifer Nalbone  
Director, Navigation and Invasive Species  
Great Lakes United  
Buffalo, New York

Jill Crafton  
Chair  
Izzak Walton League- Great Lakes Committee  
Bloomington, Minnesota

Sandy Bihn  
Executive Director  
Lake Erie Waterkeeper Inc.  
Sandusky, Ohio

Patrick DiNicola  
Treasurer  
Lake Ontario Trout and Salmon Association  
Amherst, New York

Jim Mahon  
Environment Committee Chairperson  
London & District Labour Council  
Ontario, Canada

Marc Smith  
Senior Policy Manager  
National Wildlife Federation  
Ann Arbor, Michigan

Thom Cmar  
Midwest Program Attorney  
Natural Resources Defense Council  
Chicago, Illinois

Vincent Angello  
Secretary  
Niagara Watershed Alliance  
Youngstown, New York

Kristy Meyer  
Director, Agricultural & Clean Water Programs  
Ohio Environmental Council  
Columbus, Ohio

Jennifer Caddick  
Executive Director  
Save the River  
Clayton, New York

Amy Hueber  
Former Commodore  
Vera Cruz Yacht Club  
Mexico, New York