ALLIANCE FOR THE GREAT LAKES

ENSURING A LIVING RESOURCE FOR ALL GENERATIONS

Opposition Testimony of Joel Brammeier, President & CEO

SB 266

Senate Committee on Natural Resources, Environment and Great Lakes

May 6, 2013

Submitted In Writing

Introduction

Good morning Chairman Casperson, ranking Minority Member Warren, Senator Green and Members of the Committee. My name is Joel Brammeier and I serve as President and CEO for the Alliance for the Great Lakes – the oldest regional Great Lakes citizens' organization, with offices in Grand Haven, Detroit, Cleveland, Buffalo, Milwaukee and Chicago. I am most thankful for the opportunity to speak to you today and am sure you appreciate the importance of protecting the Great Lakes from aquatic invasive species (AIS) spread by ballast water from ocean-going vessels.

The Alliance has a long history of working with Michigan leaders, lawmakers and regulators to support laws and rules designed to protect the quality of life and economic opportunity afforded to Michiganders by the state's vast natural resources, from dune habitats to the seemingly endless supply of fresh water. We testified strongly in favor of Michigan's 2005 Senate bill 332 to establish the state ballast water technology program and participated actively in subsequent rulemaking. Most recently, I was appointed to

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the Michigan Aquatic Invasive Species Advisory Council to advise the state on implementation of its invasive species prevention and control effort.

Background

Prevention of new invasions from ballast water should be nonpartisan, deliberate and executed with the utmost urgency. Many policy makers understand the economic and environmental value of protecting the largest source of fresh surface water on the planet from biological pollution like zebra mussels.

There are a number of vectors that bring AIS into the Great Lakes. Ballast water discharges are, by far, the most serious and damaging pathway. Nearly 70% of the AIS in the Great Lakes have entered in the cargo holds of oceangoing vessels since the opening of the St. Lawrence Seaway. In fact, ballast water has been responsible for some of the most devastating Great Lakes invasions. The zebra and quagga mussels vacuum up food that would otherwise support valuable sportfish and have led to collapses of economically essential fish stocks. Round gobies feast on the eggs and fry of native fish and disrupt essential habitat. Utilities and industry spend millions of dollars to control mussels that stick to and foul intake pipes. A recent University of Notre Dame study found that these species are costing the Great Lakes region at least $200 million annually. The damage and costs never end – once a species has successfully invaded Michigan waters it is here permanently.

Recognizing a lack of leadership by the Federal government, in 2005 the Michigan legislature passed a bill to reduce the spread of AIS through the discharge of ballast water from ocean-going ships. Michigan held true to its name as the Great Lakes state and put forward a permitting program intended to partially resolve the persistent ballast water discharge problem.

Michigan has been one of a few states to both recognize and act on the fact that the costs of preventing future invasions should be borne not by taxpayers, but by the businesses who desire to make a commitment to sustainable shipping in the Great Lakes. The billions of dollars of losses incurred by zebra and quagga mussel invasions – not to mention the other 184 invaders established in the Great Lakes - have been paid by every Michigan citizen who uses the Great Lakes or any of the rivers and lakes that form a vast freshwater resource and playground across this great state.

Michigan's choice to prioritize this most serious vector of invasion made and makes good sense, even as the state and the Great Lakes region work on solutions for other vectors such as the Chicago Waterway System. 7 years later, federal approaches to preventing new invasions of species via ballast water remain inadequate. Both the U.S. Coast Guard and the U.S. Environmental Protection Agency have chosen to follow the lead of the International Maritime Organization and fail to set a ballast water standard that will actually protect the Great Lakes from new invasions. Michigan should not depend solely on these federal agencies to protect its sovereign water resources.

SB 266 unfortunately rolls back years of solid work devoted to protecting Michigan's fish, wildlife and commerce in its outdoor resources and we must strenuously oppose the bill. Fish and wildlife are a solid and critical leg in the stool supporting Michigan's economy. At the time of passage of the 2005 law, not a single Michigan port was welcoming ocean ships that wanted to discharge polluted ballast water into our Great Lakes. Prior to the law going into effect, the number of direct overseas exports was a very small amount of the overall traffic from Michigan ports (e.g. oceangoing vessels, both imports and exports, account for less than 2% of all traffic from 2000-2009). Weakening ballast water standards will not gain Michigan an economic advantage. Instead, this will only hurt the long-term economic growth of tourism directly corresponding to improving fish and wildlife resources.

The current law provides a clear and fair process for shippers to either install an approved invasion prevention technology or apply to have a technology of choice certified by the state. As has occurred repeatedly through the history of environmental protection in the United States, technology will evolve accordingly based on the demands of ecosystem protection. If Michigan fails to uphold its commitment to preventing invasions, we will be condemning a first-rate natural resource to protection by second-rate technologies.

Conclusion

Please consider the long-term impact of weakening the protection of a critical source of economic growth and environmental health in the state of Michigan – the Great Lakes – and the continued failure of our federal agencies to provide fully protective standards to prevent new invasions. For these reasons and all those stated above, we oppose SB 266.

Once again, allow me to extend my sincere thanks to Chairman Casperson, Ranking Member Warren, Senator Green and members of the Committee for your deliberations on this matter. If you have any questions or concerns regarding this testimony, please do not hesitate to contact me at (312) 445-9727, or at jbrammeier@greatlakes.org. Thank you.