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Gary Frazer and Mary M. Glackin (Acting)  
Co-Chairs, ANS Task Force  
U.S. Fish and Wildlife Service  
4401 North Fairfax Dr., Room 322  
Arlington, VA 22203

February 19, 2009

Dear Co-Chairs:

I am writing to reiterate the ongoing concern held by the Great Lakes Panel on Aquatic Nuisance Species (Panel) on the continuing threat of aquatic invasive species (AIS) introduction and spread posed by discharge of vessel ballast water. The Panel maintains the position that there is an urgent need for a federal solution to address this priority AIS vector. The Panel previously submitted a recommendation to the Aquatic Nuisance Species Task Force (Task Force) in support of a more effective national ballast water program in a communication dated Feb. 22, 2008 (attached).

In the intervening year since our 2008 recommendation to the Task Force, the need for federal regulations on an aggressive timeline has only increased. In the absence of a national program, a patchwork approach to ballast water regulations has evolved among the states in the Great Lakes region. On December 18, 2008, the U.S. Environmental Protection Agency (EPA) finalized its Vessel General Permit which addresses ballast water largely by adoption and extension of existing U.S. Coast Guard and St. Lawrence Seaway Development Corporation policies. As many states recognize that the existing requirements do not adequately protect their waters, they have added more stringent conditions to the EPA permit through the Clean Water Act Section 401 certification process. Hence, vessel operators will now face varying requirements from state to state in order to maintain compliance. The Panel contends that a strong federal approach is critical in overcoming the developing patchwork of regulations and establishing a uniform regulatory program for ballast water discharges.

In summary, we urge the ANS Task Force to do all that it can, both as an individual entity and through its member organizations, to assist the new Administration and Congress to expedite enactment of an effective ballast water program that will provide for ballast water regulations on a national scale. Such a program is essential to protect both the aquatic environment as well as the economy of the Great Lakes and other regions of the country.

Sincerely,

Jim Grazio  
Great Lakes Panel Chair  
Pennsylvania Dept. of Environmental Protection, Great Lakes Biologist



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Chair: Mike Conlin, Illinois DNR  
Vice-Chair: James Grazio, Pennsylvania DEP

Gary Frazer and Timothy R.E. Keeney  
Co-Chairs, ANS Task Force  
U.S. Fish and Wildlife Service  
440-1 North Fairfax Dr., Room 322  
Arlington, VA 22203

February 22, 2008

Dear Co-Chairs:

On behalf of the Great Lakes Panel on Aquatic Nuisance Species (Great Lakes Panel), I am writing to convey to the ANS Task Force the urgent need for effective federal regulations to prevent the discharge of organisms from vessels declaring ballast and no ballast on board. Nearly two decades ago, the National Aquatic Nuisance Prevention and Control of 1990 (NANPCA) recognized the need to “prevent and control unintentionally introduced species in a timely manner,” and to “prevent unintentional introduction and dispersal of nonindigenous species into water of the United States through ballast water management.” Regulation of ballast water is recommended by the Great Lakes Regional Collaboration, and preventing introduction of aquatic invasive species (AIS) associated with ballast water is a priority for the Great Lakes Panel. Members of the Panel are gravely concerned that federal legislation to effectively regulate AIS introduction via ballast water may falter due to the inability to find resolution on issues involving timelines, enforcement, state authority and the Clean Water Act.

A comprehensive approach to management of AIS has long been supported by the Great Lakes Panel, to address all pathways of AIS introduction and spread, including ballast water, and to provide for rapid response, support of state management plans, research and education. Opportunities are currently before Congress to pass critical legislation regulating ballast water, a necessary part of a comprehensive approach to prevent AIS introductions. The Panel is unified in our strong desire for resolution of outstanding issues to obtain passage of federal ballast water legislation, a critical step in establishing effective national ballast regulations.

Strengthening ballast water regulations is critical to protect the environmental health and economic viability of the Great Lakes region and beyond. The members of the Great Lakes Panel respectfully urge the ANS Task Force to do all it can to help the Administration and Congress expedite passage of effective federal regulation of ballast water discharge.<sup>1</sup> This recommendation is concordant with the Task Force Strategic Plan (2007-2012) under Objective 5.2: *explore opportunities to establish statutory and regulatory authorities necessary to implement ANSTF goals and objectives*. The need is urgent; each year that passes without significantly improved ballast regulations risks the introduction of new invasive species.

Sincerely,

Mike Conlin  
Chair, Great Lakes Panel on Aquatic Nuisance Species  
Director, Office of Resource Conservation, Illinois Department of Natural Resources

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<sup>1</sup> The U.S. Coast Guard and the U.S. Army Corps of Engineers recused themselves from endorsement of this letter and its submission as a recommendation to the ANS Task Force.