

July 25, 2011

Dear Representative:

On behalf of the following organizations dedicated to putting people to work to restore the Great Lakes environment and economy, we write to you today in strong opposition to a provision in the Fiscal Year 2012 Interior-EPA Appropriations bill (HR 2584) that would severely penalize New York and likely other Great Lakes states for their recent efforts to protect water resources from aquatic invasive species. We strongly urge you to stand in unified opposition to this attack against the Great Lakes.

Last week, Rep. Steve LaTourette (R-OH) offered an amendment (Sec. 459), accepted by voice vote in committee, that prohibits Great Lakes states from receiving **any** Environmental Protection Agency (EPA) funding – including funding through the Great Lakes Restoration Initiative, Superfund, Clean Water or Drinking State Revolving Funds, Brownfield funding, etc.– if they have established ballast water rules that have more stringent timelines or standards than federal or international requirements.

This provision is clearly targeted at New York, as the state recently exercised its rights to do all it can to protect its waters from the scourge of harmful invasive species in absence of a strong federal action. If adopted in the final budget, this provision would prohibit the state from receiving any EPA funding for FY 2012– setting back years of efforts to keep people working to upgrade sewage treatment plants; improve drinking water facilities; monitor air quality; clean up brownfields, superfund sites, and other toxic hotspots.

This section is ambiguous, however, and could apply to other Great Lakes states stripping them of all their EPA funding for having requirements, including timelines, that are more stringent than federal or international requirements. This could include Wisconsin, Ohio, Illinois, Indiana, and Minnesota, all of which have required ballast treatment technologies to be in use on vessels by deadlines that are likely more stringent than what the Coast Guard will require. Michigan could also be threatened by this legislation, if the state determines that technologies that have been approved by the Coast Guard are not safe for use in Michigan waters.

Ballast-mediated invasive species are costing the eight Great Lakes states at least \$200 million dollars a year every year in losses to commercial and sport fishing and costs to the region's raw water users. These costs will grow unless strong protections are put in place to stop the next invasion. State leadership has been, and will continue to be, a critical driver advancing the development of stronger standards and timelines, culminating in federal ballast water regulations that are both protective of state waters and unified across the nation. States are creating an urgency in which cutting-edge technologies are developed, verified and implemented for use. Today, we are at a crossroads in efforts to prevent aquatic invasive species introductions to our nation's waters. As aquatic invasive species are very rarely eradicated, and extremely difficult to control, the cost incurred by more invasive species to taxpayers will be a growing burden the nation will carry forever.

This provision will force Great Lakes states to set their ballast discharge standards to the lowest common denominator risking their environment and economy or risk losing critical restoration, sewage and drinking water infrastructure, and other funding with similar consequences. This provision is clearly an effort to penalize New York and is an injustice to the state and region. We strongly urge you to oppose the Ballast Water rider (Sec. 459) in the Fiscal Year 2012 Department of the Interior-EPA Appropriations bill (HR 2584).

Please contact our Coalition's policy director, Chad Lord, if you have questions. He can be reached at (202) 454-3385 or [clord@npca.org](mailto:clord@npca.org).

Sincerely,

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