



Tell the Coast Guard You Support Strong Ballast Water Clean-Up Rules!

Comments due by Friday Dec. 4

Aquatic invasive species, such as zebra mussels, round gobies, and the VHS fish virus are one of the most significant threats to the future of Lake Superior, the Great Lakes, and ultimately all of Minnesota's inland waters. More than 65% of the aquatic invasive species found in the Great Lakes have been brought in via ballast tanks of oceangoing ships. Once here, these invaders are spread among the Great Lakes by other ships that operate within them ("lakers"). **These invaders threaten the future of Lake Superior, our regional economy and our way of life. Once invasive species become established we will have to deal with them forever.**

For nearly two decades the Coast Guard has ignored Congressional mandates and refused to meaningfully restrict ballast water discharges in the Great Lakes. Faced with possibility of yet another new invasive species, VHS, being spread to the Lake Superior ecosystem, in April 2008 Minnesota TU and its partners sued to compel the Coast Guard to act. While we did not prevail, the judge finding the failure to act fell within an expansive interpretation of agency "discretion", the litigation did keep pressure on the agency to take meaningful action on this significant issue.

On August 28th, the United States Coast Guard proposed a new rule that would that would require ships transiting any waters of the United States, including the Great Lakes, to clean-up their ballast tanks in a two-phase process. **This rule could be a groundbreaking regulation and could be the strongest effort yet in the fight to stop the introduction and spread of aquatic invasive species!**

However, the rule as proposed is not strong enough to protect the Great Lakes and Minnesota waters as quickly as is needed. Do your part to prevent more invaders from getting established in Lake Superior (and inevitably other Minnesota waters), by telling the Coast Guard in no uncertain terms that enough is enough - **both the introductions and spread** of aquatic invasive species in the Great Lakes should be stopped now!

Take Action by the Friday December 4 deadline!

The proposed rule and several summaries can be found at the Coast Guard site:

<http://www.uscg.mil/hq/cg5/cg522/cg5224/bwm.asp>

The Coast Guard will accept your comments on the proposal until **December 4, 2009**. In order to adequately protect Lake Superior it is critical to get these rules right the first time so there are no further delays to getting technology installed on all vessels. The shipping industry has said that we need national standards, but now it appears that they are mobilizing efforts to weaken the rules. The Coast Guard needs to hear from you of your concerns for Lake Superior and other Minnesota waters!

Write the U.S. Coast Guard to let them know that the proposed rule is a good start because it includes national standards for both ocean going and laker vessels and because the proposed Phase 2 discharge standards are strong. Also include these points:

- **The Phase One standard is far too weak.** Today's technologies are proven to far exceed the weak International Maritime Organization standard of 2004. Suggest the phase one standard match New York's standard, which requires all existing vessels to meet a standard 100 times more restrictive than the IMO standard by January 2012.

- **The timelines for implementing the Phase One and Phase Two standards are far too long.** Under the proposed rules, ships do not even have to start installing technology until 2016, and could use loopholes to avoid complying with the final standard until after 2020, or much longer! The timelines for implementing both Phase One and Phase Two standards must be shortened given the rates of both new species' introductions (every 9 months) and the establishment of new populations (i.e., spread) of existing species. Urge adoption of the first phase of clean-up technologies no later than January 2012, and compliance with the stricter (phase two) standards no later than January 2016.
- **The rules must apply to 'lakers'.** These vessels spread invasives from infested ports in the lower Lakes. The port of Duluth-Superior receives more ballast water discharge than any other port in the Great Lakes, and nearly 95% of the more than 5 billion gallons of ballast water dumped into Lake Superior each year is from laker vessels. Strongly regulating lakers is essential to protect Lake Superior.
- **The final rule must close any loopholes that could endlessly delay implementation of final standards.** The "feasibility review" in the proposed rule must be changed to eliminate this loophole. Urge a firm deadline for 'feasibility reviews'; endless delay is not acceptable.
- **The final, Phase Two standard for ballast water discharges is excellent,** and consistent with the strongest standard established by any Great Lakes state.
- Let the U.S. Coast Guard know your concern for Minnesota's waters, how aquatic invasive species have impacted you, and why you feel that strong standards should be in place as quickly as possible.

How to Submit Comments:

When writing the U.S. Coast Guard, remember to reference docket number: USCG-2001-10486.

Online: <http://www.regulations.gov/search/Regs/home.html#submitComment?R=0900006480a4b79f>

Fax: (202) 493-2251

Postal Mail:

Docket Management Facility (M-30)
U.S. Department of Transportation
West Building Ground Floor, Room W12-140, 1200
New Jersey Avenue, SE.,
Washington, DC 20590-0001

For more information concerning the impact of aquatic invasive species see:

http://www.oar.noaa.gov/oceans/t_invasivespecies.html

<http://www.seagrant.umn.edu/ais/>