



**Testimony Regarding House Bills 5166, 5167, and 5168
House Committee on Agriculture
Representative Dan Lauwers, Chair**

Submitted in writing by
Jennifer McKay, Policy Specialist
Tip of the Mitt Watershed Council
February 10, 2016

Tip of the Mitt Watershed Council, on behalf of its 2,500 plus members, wishes to express our concern regarding House Bills 5166, 5167, and 5168. These bills would allow net pen aquaculture operations within the public waters of the Great Lakes while reducing regulation and oversight. We urge you to oppose these bills due to the significant risks posed to the Great Lakes and Michigan's waters from unregulated aquaculture operations.

As a means of introduction, Tip of the Mitt Watershed Council is a nonprofit organization, based in Northern Michigan, whose purpose is to protect, restore, and enhance water resources, including our Great Lakes, inland lakes, rivers, wetlands, and groundwater. We base all our programs on sound science and policy analysis, and have garnered respect for our work from local, state, and federal agencies, businesses, fellow environmental organizations, and citizens.

Because safeguarding our waters is paramount to our mission, we oppose commercial net pen fish farms in the Great Lakes, in order to prevent disease, escapement and effluent risks that could harm the health of the Great Lakes, public health, and our economy.

The state scientific advisory panel established by the Michigan departments of Natural Resources, Environmental Quality, and Agriculture and Rural Development confirmed many of our concerns, concluding that net pen fish farming cannot be done without risk of adverse impact to our lakes. The reports note, for example, that the proposed net pen aquaculture facilities would:

- Dump untreated waste directly into the lakes, adding tons of phosphorus and nitrogen each year and potentially triggering toxic algae outbreaks like the one that shut down Toledo's drinking water source in 2014. There is currently no way to treat, or even monitor, the nutrient waste in the open waters of the Great Lakes.
- Provide a breeding ground for diseases that could spread from caged fish to wild populations, putting the Great Lakes fishery, a multi-billion dollar industry, and ecosystem at risk.

- Inevitably lead to escapes that can have wide-ranging negative genetic effects on native populations and erode our wild fish population's ability to adapt and survive.
- Lead to introductions of invasive species if non-native species are raised in the net pens.
- Disadvantage environmentally friendly aquaculture systems, since these responsible, self-contained projects must capture and treat the waste they produce, rather than dumping it untreated into a public water body for free.

After reviewing the reports put forth by the state scientific advisory panel, it is clear that establishing privately owned net-pen operations in public waters of the Great Lakes is not economically justifiable and poses too great of risk to our waters and public health.

In addition to opening up the public waters of the Great Lakes to net pen aquaculture, these bills change a number of regulations pertaining to aquaculture that would put all of Michigan's waters at risk.

- The bills allow nonnative fish species to be grown in Michigan waters without restriction. Given that the Great Lakes region currently spends hundreds of millions of dollars on the prevention and management of aquatic invasive species, it would be irresponsible for Michigan to purposely allow the introduction of a species that could escape and threaten the ecological integrity of our ecosystem. We must only look to the effects of Asian carp, which was also purposefully introduced in southern states, to see how devastating the introduction of nonnative species can be.
- The bills create a new Office of Aquaculture Development, within the Michigan Department of Agriculture and Rural Development, which would be tasked with the conflicting roles of promotion and regulation of the industry.
- The bills inappropriately create a general permit category for land based aquaculture facilities. General permits are designed for those activities that are expected to cause no more than minimal impacts, and can therefore, be reviewed through an expedited permit application process. As noted in the scientific advisory panel reports, aquaculture facilities can have significant adverse impacts including nutrient pollution, nuisance algal blooms, genetic pollution of wild fisheries, and risk of aquatic invasive species introductions to the waters held in public trust. Such impacts are not minimal and require and deserve a much more thorough review process.
- The bills allow an aquaculture facility to take public, wild fish from inland waters of the state without a permit for the purposes of cultivating and profiting off of them.
- The bills reduce local oversight and authority for siting of aquaculture facilities.

These are just a few of the many regulatory changes that would result from the House Bills 5166, 5167, and 5168, jeopardizing the health of our waters and economy.

Not only is net-pen aquaculture in the Great Lakes too much risk, but it comes with little to no reward for the people and waters of Michigan. According to the science panel reports, the proposed fish farms would produce at most 44 jobs. Michigan's recreational fishery—just one of many Great Lakes-dependent industries that commercial aquaculture would jeopardize—supports some 38,000 jobs and contributes \$4 billion to the economy each year.

In conclusion, Tip of the Mitt Watershed Council believes that establishing privately owned net-pen operations in the public waters of the Great Lakes and connecting waters is not economically justifiable and poses far too great of risk to our waters and public health. In addition, the bills seek to virtually deregulate all of aquaculture which would threaten not only our natural resources, but our economy. As a result, Tip of the Mitt Watershed Council fully opposes House Bills 5166, 5167, 5168.

If we are going to maintain the proud heritage of the “Great Lakes State” and “Pure Michigan,” we must remain vigilant in our efforts to protect our most valuable resource. We hope you will see that allowing commercial aquaculture in the public trust waters of the Great Lakes is not the best option for Michigan and we urge you to oppose these bills.

Thank you again for the opportunity to comment. If you have any questions about the comments provided, please feel free to contact me at jenniferm@watershedcouncil.org or 231-347-1181.

Sincerely,

A handwritten signature in cursive script, appearing to read 'JMcKay'.

Jennifer McKay
Policy Specialist