



**MICHIGAN
LEAGUE OF
CONSERVATION
VOTERS**

Date: October 20, 2017

For: Members of the House Commerce and Trade Committee

From: Charlotte Jameson, Government Affairs Director, Michigan League of Conservation Voters

Re: Testimony in Opposition to House Bill 5095

The Michigan League of Conservation Voters (LCV) is the non-partisan, political voice for Michigan's land, air, and water. On behalf of our statewide membership and our Board of Directors, Michigan LCV expresses our opposition to House Bill 5095. This bill would weaken one of Michigan's most critical pollution control laws that effectively protects our economy and our waterways from the spread of invasive species by the release of untreated ballast water by commercial ships.

Ballast water pollution transfers invasive species, bacteria and viruses from around the world into new ecosystems where they drive native species to extinction, disrupt aquatic food chains, do lasting damage to commercial and recreational fisheries, and push aquatic ecosystems into dangerously unstable territory. Numerous studies have identified aquatic invasive species as the largest stressor impacting the health of the Great Lakes.^{1,2} For example, zebra mussels and quagga mussels, which came from the Caspian Sea and the Black Sea, are among the non-native invaders that arrived in Lake Michigan via ballast water when there were no rules governing when and where vessels could release ballast water.

Researchers estimate that there are now more invasive mussels in the Great Lakes than fish in all the world's seas.³ These invasive mussels are fouling water intakes, competing with native species for food and costing state and local government staggering sums. What is more, no one has come up with a viable plan for getting rid of them.

Currently, nationwide ballast water pollution is regulated by the Environmental Protection Agency under the Clean Water Act and in Michigan the Department of Environmental Quality (DEQ) oversees permitting. Clean Water Act protections and state level protections like those in Michigan are incredibly important when the environmental and economic health of our waterways, like the Great Lakes, are threatened by biological pollution.

In response to the destruction and turmoil wrought by waves of invasive species entering the Great Lakes in previous decades, Michigan decision-makers took a pragmatic and bipartisan step to enact additional protections here on the state level to protect our waterways from these invaders. The law these legislators created requires ocean-going vessels to seek permits from the state that either certify they will not discharge ballast water while in Michigan's ports, or that they

¹Allan, J.D., P.B. McIntyre, S.D.P. Smith, B.S. Halpern, G. Boyer, A. Buchsbaum, A. Burton, L. Campbell, L. Chadderton, J. Ciborowski, P. Doran, T. Eder, D.M. Infante, L.B. Johnson, C.G. Joseph, A.L. Marino, A. Prusevich, J. Read, J. Rose, E. Rutherford, S. Sowa, and A.D. Steinman. 2013. Joint analysis of stressors and ecosystems services to enhance restoration effectiveness. *Proceedings of the National Academy of Sciences* 110: 372-377.

²Bunnell, D.B., R.P. Barbiero, S.A. Ludsin, C.P. Madenjian, G.J. Warren, D.M. Dolan, T.O. Brenden, R. Briland, O.T. Gorman, J.X. He, T.H. Johengen, B.F. Lantry, B.M. Lesht, T.F. Nalepa, S.C. Riley, C.M. Riseng, T.J. Treska, I. Tsehaye, M.G. Walsh, D.M. Warner, and B.C. Weidel. 2014. Changing ecosystem dynamics in the Laurentian Great Lakes: bottom-up and top-down regulation. *BioScience* 64:26-39

³Great Lakes Echo - Lake Michigan "doughnut" bloom update: See it from Space
<http://greatlakesecho.org/2010/07/23/lake-michigan-doughnut-bloom-update-see-it-from-space/>

will treat the ballast water before it is released.

House Bill 5095 would roll back Michigan's ballast water standards and bring Michigan down to the weaker U.S. Coast Guard's ballast water standards. Unlike the EPA and the DEQ - the agencies with the most expertise in addressing water quality and pollution - the U.S Coast Guard does not possess expertise in effectively controlling water pollution. The Coast Guard's mission is our nation's maritime safety and security, whereas the EPA and the DEQ are charged with managing and protecting water quality through a scientific-based approach. By removing Michigan's current water protections and subjecting Michigan to weaker US Coast Guard standards, HB 5095 would dramatically increase the risk and number of new invasive species entering the Great Lakes.

Weakening Michigan's ballast water standards could lead to large costs to our blue economy with little economic gain in return. More than 52 billion gallons of ballast water are discharged into U.S. waters each year, 28 percent of which originates outside the U.S and Canada. An estimated 10,000 aquatic species are transported around the world in ballast water each day and between 55 to 70 percent of the more than 180 known aquatic invasive species in the Great Lakes were brought here through the ballast water of ocean-going vessels.⁴

These species cost the U.S. over \$9 billion annually and one of Michigan's worst invasive species, Zebra mussels, cost the country over \$6.4 billion a year nationally.⁵ A 2015 Anderson Economic Group (AED) study estimated that the overall annual cost of aquatic invasive species to the Great Lakes region is at least \$100 million, but likely significantly higher. In Michigan, industries highly affected by these species include power generation, industrial facilities, tourism and recreation, as well as sport and commercial fishing, which account for almost \$12 billion in total sales.⁶

Once an invasive is established in an area, it is incredibly difficult—often virtually impossible—to eradicate. The great majority of resources we currently spend on invasive species is directed toward managing the size of existing invasive populations and controlling the spread of invasive species where possible. In recognition of this dynamic, prevention must continue to be our first line of defense and should be looked to as the most cost-effective solution.

House Bill 5095 represents a risky and expensive step backward in the effort to defend against new waves of invasive species entering the Great Lakes through ballast water pollution. One in five jobs in the Great Lake State is linked to our waters.⁷ These remarkable freshwater resources provide drinking water to millions of Michiganders, support critical habitats for fish and wildlife and drive our state's water-based economy and way of life. Because of these resources and the key bipartisan protections created by the Michigan Legislature, we are seen as a leader in the fight to protect our waters and economy from invasive species. We urge this committee to uphold those water pollution protections by opposing HB 5095.

Michigan LCV reserves the right to score a vote on HB 5095 on our Legislative Scorecard.

⁴GLANSIS (Great Lakes Aquatic Nonindigenous Species Information System). 2014. <http://www.glerl.noaa.gov/res/Programs/glansis/status.html>

⁵U.S. Fish and Wildlife Service - The Cost of Invasive Species. <https://www.fws.gov/verobeach/PythonPDF/CostofInvasivesFactSheet.pdf>

⁶Rosaen, A.L., E.A. Grover, and C.W. Spencer. 2012. The Costs of Aquatic Invasive Species to Great Lakes States. Anderson Economic Group, East Lansing, MI

⁷Austin, J. and A.D. Steinman. 2015. Michigan Blue Economy. Making Michigan the World's Freshwater and Freshwater Innovation Capital. Available at <http://michiganblueeconomy.org/>