

Alliance for the Great Lakes – National Wildlife Federation – Natural Resources Defense Council
Northwest Environmental Advocates – Save the River

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House Scuttles Clean Water Act Protections, Leaving United States Vulnerable to Aquatic Invasive Species

Groups urge U.S. Senate to protect communities, environment, and economy from ballast water invaders.

Washington, D.C. (May 19, 2016) – The U.S. House of Representatives voted late last night to scuttle Clean Water Act protections that are essential in the ongoing effort to protect U.S. communities, businesses, and people from the environmental and economic harm wrought by aquatic invasive species. Tucked away in the House-passed National Defense Authorization Act are provisions that would cripple the ability of the nation to protect itself from aquatic invasive species introduced into domestic waters via ballast water discharge.

Conservation groups are urging the U.S. Senate to reject the House-passed bill and pass a clean defense authorization that does not contain provisions that undermine the nation's ability to protect itself from harmful aquatic invasive species.

States impacted by aquatic invasive species have also strenuously opposed the provisions, including California, Oregon, and Washington and the attorneys general of Michigan, New York, Maine, Oregon, Washington, and Rhode Island.

Conservation groups responded to the House vote:

“Communities and businesses across the country that have borne the tremendous costs associated with aquatic invasive species deserve a solution that shuts the door on future invasions,” said **Marc Smith, policy director for the National Wildlife Federation's Great Lakes Regional Center**. “Provisions in the House bill, however, attempts to gut the Clean Water Act, which would leave the door open to future economic and natural resource impacts. We urge

the Senate to act in the best interest of people and wildlife and reject these short-sighted measures.”

“Stopping invasive species before they enter the Great Lakes is critical to ensuring a healthy future for the lakes,” said **Molly Flanagan, vice president for policy, Alliance for the Great Lakes**. “We have made important progress on this goal and now is not the time to go backward. This amendment is the wrong direction for the lakes.”

“The National Defense Authorization Act is supposed to be about protecting the homeland, not welcoming invasive species to our waters,” said **Rebecca Riley, senior attorney, Natural Resources Defense Council**. “The Great Lakes are already reeling from the impacts of invasive species that have completely changed the ecosystem for the worse. A new invasive species transported in ballast water was just observed in San Francisco Bay last week—it’s an ominous precursor to Great Lakes arrivals that could occur as a result of this cave to special interests.”

“Ships’ discharges of invasive species to our nation’s waters are like a wildfire that only grows worse, that once released cannot be retrieved,” said **Nina Bell, Executive Director of the Portland, Oregon-based Northwest Environmental Advocates whose efforts in 1999 ensured that ship discharges are currently regulated under the Clean Water Act**. “The Clean Water Act is the nation’s only comprehensive law that can combat an environmental plague of aquatic invasive species that costs the U.S. economy billions of dollars and touches every single state in the union with its destructive powers. West coast states, in particular, strongly oppose Congressional efforts to undermine state and federal laws because they have been particularly hard hit by invasive species.”

“We on the St. Lawrence River know all too well the scourge of invasive species introduced through the discharge of ballast water into our River and the Great Lakes,” said **Lee Wilbanks, executive director of Save the River and Upper St. Lawrence Riverkeeper**. “The scourge of invasives haven’t just disrupted the St. Lawrence River’s fragile ecosystem, displaced or decimated native species and cost millions each year in eradication efforts and lost economic activity, the River is now a vector for the introduction of invasives to the still relatively pristine neighboring watersheds in the Adirondacks and the rest of New York State. Quite simply the Vessel Incidental Discharge Act is a direct threat to the ecology and economy of the the St. Lawrence River, the Great Lakes and all the waterbodies in their watersheds.”

BACKGROUND:

Aquatic invasive species cost this country billions of dollars annually—from damage to the infrastructure for public water supplies, industry, and energy generation systems to the devastation of commercial and recreational fisheries. Invasive species have also caused irreversible harm to coastal and inland waters, including the Great Lakes, Chesapeake Bay, San Francisco Bay, Gulf of Mexico, and the Columbia River.

One of the main pathways for non-native species to enter U.S. waters is through the ballast water discharge from vessels originating in foreign ports. The zebra mussel, for example, entered the Great Lakes via ballast water discharge and proceeded to upend the Great Lakes ecosystem—fueling rampant and sometimes toxic algae growth, collapsing native fisheries, and harming recreation. Zebra mussels have since spread into the Mississippi, Tennessee, Hudson, and Ohio River basins and as far West as California, Nevada, Colorado, and Utah.

PROVISIONS FAIL TO PROTECT U.S. WATERS

The anti-clean-water provisions in the defense authorization bill are included as an amendment that essentially attaches the Vessel Incidental Discharge Act (S. 373) to the bill. VIDA, as it is known, removes the authority of the Clean Water Act over ship discharges and preempts states' rights to protect their waters. And it freezes in place measures that will be ineffective at both preventing new invasions and slowing the spread of extant invasive species. Not only would the act strip ballast water discharges from coverage under the Clean Water Act, but the amendment would block the future adoption of more protective discharge standards.

As a whole, the provisions of this legislation would enshrine a regulatory scheme that places the economic burden associated with invasive species on the nation's taxpayers rather than on the international shipping industry that is responsible for bringing those species to our nation's waters.

CLEAN WATER ACT MOST EFFECTIVE TOOL TO PROTECT U.S. WATERS

The Clean Water Act is the most effective way to protect U.S. waters from the serious threat posed by aquatic invasive species introduced by ballast water discharge. The Clean Water Act obligates the U.S. EPA to protect U.S. waters from biological pollutants—living, breathing organisms—by establishing limits on how many microorganisms can be present in discharged ballast water.

Just as the Clean Water Act helped the nation reduce pollution from industries and cities—leading to dramatic improvements in water quality—the Act is the strongest policy tool to shut the door on ballast water invaders.

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