



an international coalition to protect and restore
the Great Lakes / St. Lawrence River ecosystem

April 7, 2003

Docket Management Facility (USCG 2002-13147)
U.S. Department of Transportation
Room PL-401
400 Seventh Street, SW
Washington, D.C. 20590-0001

Re: Comments on proposed rulemaking "Penalties for Non-Submission of Ballast Water Management Reports" USCG-2002-13147

To Whom It May Concern:

I am writing on behalf of Great Lakes United to comment on the proposed rulemaking, "Penalties for Non-Submission of Ballast Water Management Reports."

Great Lakes United is an international coalition of over 150 environmental, conservation and sport organizations, tribes, municipalities, labor unions and businesses whose mission is to protect and restore the Great Lakes - St. Lawrence River basin ecosystem. We have been involved in the development of effective and environmentally sound regional strategies to prevent aquatic invasive species introduction and spread in the region, and have served as the only environmental representative to the Great Lakes Aquatic Nuisance Species Panel since 1996.

Great Lakes United believes this proposed rule is essential to improve, adopt and fully implement, as 72% of the invaders that have established since 1959 are from the ballast discharge of ocean-going ships (Reid, et al, 2002).

In general, Great Lakes United supports the provisions under the proposed rule, "Penalties for Non-Submission of Ballast Water Management Reports" that require mandatory Ballast Water Management reporting and would apply penalties to ships operating without the required reports. Great Lakes United believes that strong enforcement and application of penalties are needed to analyze the effectiveness of existing ballast water management requirements-- requirements created to protect the Great Lakes from invasive species.

Please accept the following recommendations from Great Lakes United to improve this rule:

1. Include provisions to deny entry to the Great Lakes basin any ocean-going ships in non-compliance.

www.glu.org

Canadian Office
4525 Rue DeRouen
Montréal, Québec H1V 1H1
(514) 396-3333, fax: -0297

Main Office
BSC – Cassety Hall
1300 Elmwood Ave
Buffalo, NY 14222
(716) 886-0142, fax: - 0303

Denying entry to the Great Lakes basin for any ocean-going vessel until they have completed required reports is essential to collect the information needed to analyze the effectiveness of existing ballast water management requirements and protect the Great Lakes from invasive species. The choke point provided by the St. Lawrence Seaway provides a practical means for governmental monitoring of ballast water reports, and enforcement of penalties, including denial of entry.

2. Include provisions that require reporting of in-basin ballast activities from all ocean-going vessels operating the Great Lakes basin, including those classified as “No Ballast on Board”

NOBOB vessels are believed to harbor invasive species remaining in tank residue and introduce these invasive species if they ballast and de-ballast within the Great Lakes basin (Reid, et al, 2002). It is very important to require reporting of all ballast water management activity by NOBOB vessels within the Great Lakes basin. Complete data on the ballasting and de-ballasting activities of all ocean-going ships (classified as BOB and NOBOB) operating within the Great Lakes basin is essential to assess the efficacy of current mandatory ballast water exchange regulations and provide information to guide future regulatory changes.

3. Allow for the final rulemaking to apply to the pending National Aquatic Invasive Species Act.

The National Aquatic Invasive Species Act was introduced to reauthorize and improve the National Invasive Species Act of 1996. Rather than go through another rulemaking process for NAISA, we encourage that the rule put forth under USCG-2002-13147 be made applicable to NAISA.

Overall, Great Lakes United supports the U.S. Coast Guard as it develops and enforces rules for ballast water management reports, encourages stringent enforcement and application of penalties, and strongly recommends the specific improvements to USCG-2002-13147 articulated above.

Thank you very much for this opportunity to comment.

Reference:

Reid, D., H. J. MacIsaac, J. E. Gannon, and J. Hartig. 2002. Research and management priorities for aquatic invasive species in the Great Lakes. International Association for Great Lakes Research. www.iaglr.org/scipolicy/ais/