



# United States Department of the Interior

FISH AND WILDLIFE SERVICE

Washington, D.C. 20240



In Reply Refer To:  
FWS/AFHC/FAC/BAIS/DCN 040258

Mr. Jim Grazio, Great Lakes Panel Chair  
Great Lakes Panel on Aquatic Nuisance Species  
Eisenhower Corporate Park  
2805 S. Industrial Hwy, Suite 100  
Ann Arbor, MI 48104-6791

JUN 30 2009

Dear Mr. Grazio:

This is in response to the Great Lakes Panel letter, dated February 19, 2009, in which you and the Panel expressed concern regarding the continued threat of aquatic invasive species (ANS) introduction and spread posed by the discharge of ballast water. Federal agencies supported the establishment of a ballast water management regime, consistent with the framework of the International Maritime Organization Ballast Water Convention, and implementation of environmentally-sound ballast water standards.

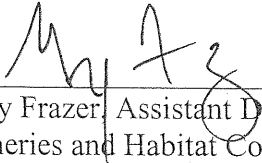
Following a 2006 U.S. District Court decision to vacate the Environmental Protection Agency (EPA) regulation excluding "discharges incidental to the normal operation of a vessel" from requiring a Clean Water Act National Pollutant Discharge Elimination System (NPDES) permit, the federal agencies coordinated an approach on three levels:

- The development of a Government position on appeal, and following loss of that appeal, development of the EPA NPDES Vessel General Permit.
- The federal agencies coordinated views on legislation to implement/enforce standards for ballast water that would strengthen existing laws (National Aquatic Nuisance Prevention and Control Act of 1990/National Invasive Species Act of 1996) to better prevent the introduction of ANS through ballast water and other vessel sources. However, no action was taken by Congress.
- The U.S. Coast Guard developed and completed clearance of its proposed rulemaking, and associated analyses, regarding a ballast water discharge standard. The Office of Management and Budget and federal agencies are reviewing the proposed rule.

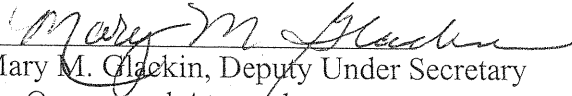
In summary, the ANS Task Force (ANSTF) recognizes the impact invasive species cause to aquatic ecosystems and local economies especially in the Great Lakes. The ANSTF will continue to strive to identify workable solutions with the valuable assistance of the Great Lakes Panel and the other ANS Regional Panels.

We look forward to working with you on this critical issue. If you have any questions or concerns, please contact Susan Mangin, ANSTF Executive Secretary, at 703-358-2466 or [Susan\\_Mangin@fws.gov](mailto:Susan_Mangin@fws.gov).

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