

National Wildlife Federation – Wisconsin Wildlife Federation

Groups Challenge Wisconsin to Gain Stronger Protections against Invasive Species

Legal Action Shows Wisconsin's New Permit Won't Keep New Invasive Species from Entering the Great Lakes through Ballast Water Discharges from Foreign Ships

ANN ARBOR, MI (JAN. 15, 2010) — The National Wildlife Federation and Wisconsin Wildlife Federation filed a legal challenge today that claims the state of Wisconsin's new ballast water discharge permit violates state law and won't prevent freighters from importing more invasive species, like zebra mussels, into the Great Lakes.

“Compliance with the Wisconsin ballast water discharge standards would not prevent invasive species from entering Wisconsin waters,” said **Neil Kagan, senior attorney at the National Wildlife Federation's Great Lakes Regional Center**. “Wisconsin officials have said prevention is the best way to protect the Great Lakes from new invasive species, but the state's ballast water discharge standards won't prevent new invasions. The state's failure to follow its own laws to protect water quality is the basis of our lawsuit.”

Wisconsin released ballast water discharge standards in a permit in November. The permit, which is set to take effect February 1, would require ocean freighters to treat ballast water, but the discharge standards are too weak to be effective.

The final permit is weaker than the draft version and contains a loophole that would allow ships to fall back to the weakest discharge standards. The permit runs counter to a state law that prohibits degradation of Wisconsin's waters, according to officials at the National Wildlife Federation and Wisconsin Wildlife Federation.

“Wisconsin's ballast water discharge permit is a mirage — it looks good from a distance but a close examination reveals serious flaws,” said **George Meyer, executive director of the Wisconsin Wildlife Federation**. “The permit creates an illusion that the state is getting tough on ballast water discharges.”

Ballast water discharges by ocean freighters are the leading source of invasive species in the Great Lakes. Since the opening of the St. Lawrence Seaway in 1959, ocean ships have imported 57 invaders to the Great Lakes, according to government data. That army of invaders — which includes zebra mussels, quagga mussels and round gobies — have

plunged the lakes into a state of biological chaos that costs people, businesses, utilities and cities at least \$200 million per year, according to Notre Dame University researchers.

The federal government has not enacted ballast water discharge standards despite numerous agencies working on the problem for the past two decades. The U.S. Coast Guard recently proposed national ballast water treatment standards.

Wisconsin and other states began developing ballast water discharge standards after the federal government failed to address the problem nationally. California and New York have passed the nation's toughest ballast water regulations.

An earlier version of Wisconsin's discharge standard was as stringent as those states' standards. Wisconsin should restore the level of protections put in place by those states, said **Marc Smith, state policy manager at the National Wildlife Federation's Great Lakes Regional Center.**

"Absent federal action to confront the urgent threat of invasive species, Wisconsin and other states need to do all they can to keep harmful invaders out of the Great Lakes," Smith said. "Wisconsin's ballast water discharge standards aren't tough enough — the door will remain open for new invasive species to colonize and disrupt the world's largest source of surface freshwater."

Wisconsin's permit would not make ballast water discharge standards applicable to lake freighters.

Wisconsin -- along with the Great Lakes states of Indiana, Minnesota, New York, Ohio and the province of Ontario -- recently supported the state of Michigan's lawsuit against the state of Illinois to stop the invasive Asian carp from entering Lake Michigan and the other Great Lakes.

"Wisconsin's willingness to step up to stop the Asian carp from entering the Great Lakes needs to be matched by action that protects its own waters from the ongoing influx of invasive species brought into the lakes through ballast water," said Smith.

Preventing new invasive species introductions is one of the tenets of restoring the Great Lakes. The U.S. Congress and President Obama recently approved \$475 million to restore the lakes.

"We can't fully restore the Great Lakes until we put an end to this crisis of invasive species entering the lakes," Smith said.

For more information: www.nwf.org/greatlakes

The **National Wildlife Federation** is America's largest conservation organization inspiring Americans to protect wildlife for our children's future.

The **Wisconsin Wildlife Federation** is the state's largest conservation organization, comprised of 168 hunting, fishing, trapping and forestry related organizations that have over 100,000 members. The Wildlife Federation, founded in 1949, is dedicated to conservation education and the advancement of sound conservation policies.

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