



American Fisheries Society

Organized 1870 to Promote the Conservation, Development and Wise Utilization of the Fisheries

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June 6, 2016

The Honorable Mitch McConnell
Majority Leader
317 Russell Senate Office Building
Washington, DC 20510

The Honorable Harry Reid
Minority Leader
522 Hart Senate Office Building
Washington, DC 20510

RE: Vessel Incidental Discharge Act

Dear Majority Leader McConnell and Minority Leader Reid,

The introduction of exotic species causes ecosystems to become increasingly damaged as native species decline due to the competition and predation from the introduced species. This ecosystem degradation causes tremendous harm to infrastructure, as well as commercial and recreational fishing. For that reason, the American Fisheries Society (AFS) opposes the Vessel Incidental Discharge Act (VIDA) in the form of S. 373 (Rubio) or via amendment; AFS would also oppose any inclusion of similar provisions within the National Defense Authorization Act conference agreement. This legislation will compromise the progress that has already been made in preventing the introduction of exotic species into our bays, estuaries, lakes, rivers and coastal regions.

AFS is the world's oldest and largest organization dedicated to strengthening the fisheries profession, advancing fisheries science, and conserving fisheries resources; and, includes 8,000+ members from around the world, including fisheries managers, biologists, professors, ecologists, aquaculturists, economists, engineers, geneticists, and social scientists. We are dedicated to promoting scientific research and sustainable management of fisheries resources through the publication of scientific journals and books, advising public policy makers, and sponsoring continuing education and certification programs.

AFS has a long history dealing with the issue of "ship-vectored" introductions via ballast water and other discharges, and continues to support the use of best available science when making these policy decisions. Dating back to the late 1980's, AFS and our members have discussed the need from proactive legislation and regulations to prevent the introduction of invasive species via ship discharges via an organizational resolution (AFS, 1989) and an organizational policy statement (Moyle, 1991). More recently, in a 2007 letter to Senator Boxer, AFS recommended the adoption of ballast water standards that produce zero introductions, or zero discharge of viable organisms. The following year AFS signed on to a letter, sent to you both, supporting the ballast water title within HR. 2830 – Coast Guard Authorization Act of 2007. This bill passed

that House with a 395 to 7 vote. Within HR. 2830, there were vessel performance provisions that were nearly 10 times as strict as the ones currently presented in VIDA (less than 1 living organism per 10 cubic meters that is 50 or more micrometers in minimum dimension; versus VIDA's fewer than 10 living organisms per milliliter). These provisions were deemed to be completely technologically feasible, and within the realm of possibility.

VIDA, in its current form, prevents the Environmental Protection Agency (EPA) from using their expertise to regulate these discharges through their Vessel General Permits, giving sole authority to the U.S. Coast Guard (USCG), with the EPA serving in an advisory capacity. While USCG and EPA regulations concerning ballast water discharges overlap in areas, and may seem duplicative, EPA permits apply to 72,000 vessels that USCG regulations do not cover. As a professional scientific organization, we would recommend keeping the agency that has the scientific expertise, to handle the monitoring and reporting of this program, at the helm.

Thank you for your consideration of our concerns over this specific piece of legislation, and the issues surrounding aquatic species introductions and pollution from vessel ballast water. There is a specific need for Congressional action to address the threat posed by invasive species and water pollution, and improvements within the regulatory structure can be made; but, not with the current form of the Vessel Incidental Discharge Act.

Sincerely,



Douglas J. Austen, Ph.D.
Executive Director
American Fisheries Society

CC: Senator Inhofe, Senator Boxer, Senator McCain, Senator Reed, Senator Thune, and Senator Nelson

Referenced Materials:

American Fisheries Society. 1989. Resolution 3: Discharge of ballast water from ocean-going vessels in the Great Lakes and other North American Waters. Retrieved (May 24th, 2016) from: <http://bit.ly/AFSres3>

American Fisheries Society. 2007. Letter to Senator Boxer in re: National Aquatic Invasive Species Act. Retrieved (May 24th, 2016) from: <http://bit.ly/1TC9JYT>

American Fisheries Society. 2008. Letter to Senator McConnell and Senator Reid in support of HR. 2830. Retrieved (May 24th, 2016) from: <http://bit.ly/1TxCK5B>

Moyle, P. 1991. Ballast Water Introductions. *Fisheries*. 16(1): 4-6 doi: <http://dx.doi.org/10.1577/1548-8446-16-1>