

Minnesota Council of Trout Unlimited
John P. Lenczewski, Chair
18776 Twilight Trail
Eden Prairie, MN 55346
612-670-1629

April 30, 2008

Ms. Mary Jean Fenske
MPCA
Industrial Division
520 LaFayette Road North
S. Paul, Minnesota 55155-4194

Re: Minnesota Vessel Discharge General permit provisions

Dear Ms. Fenske:

I am writing on behalf of the Minnesota Council of Trout Unlimited to request that significant changes be made in the General permit. First, however, I want to commend the MPCA for moving forward to regulate ballast water discharges into the Minnesota waters of the Lake Superior basin. The citizens of Minnesota need strong leadership from your office to protect the state's aquatic resources. We urge you to take whatever action is needed to prevent the spread of VHSV into Lake Superior, even where this means departing from the approaches of other federal and state agencies.

As I mentioned at the earlier meeting and in a subsequent telephone conversation, the tentative timeline proposed for requiring actual treatment of ballast water by all vessels is unacceptably long. The threat of the spread of VHSV into Lake Superior is imminent and substantial. It necessitates strong interim measures to reduce the risk. Rather than focusing on how a permit might be drafted to accommodate a "perfect" solution to aquatic invasive species by September 2013, we believe the focus must be on what measures the MPCA should require all, or most vessels, to begin taking within 6 months. The imminent threat posed by VHSV in particular requires more urgent action.

We request the MPCA require all vessels which discharge ballast water into the Minnesota waters of Lake Superior first have treated their water with chlorine or a similar chemical. Chlorine is cheap and effective. It can be metered in upon uptake of ballast water and allowed to kill invasive organisms in transit. An inexpensive neutralizing agent can be introduced while the vessel is still in transit, utilizing vessel movement to help mix the agent, and still have enough time for neutralization prior to discharge in Minnesota. Since all vessels, including lakers, currently maintain a ballast water management plan (per Coast Guard regulations) which contain volume data for each separate ballast tank, dosing calculations could be done quite easily. While this treatment method may not kill all organisms under all conditions, it can significantly reduce the risks of introducing VHSV into

Lake Superior. At a minimum this treatment or a similar one should be required of all vessels coming from the lower Great Lakes.

Much focus has been given to regulating “salties” since they have been the vehicle by which most aquatic invasive species have entered the Great Lakes basin. We are sympathetic to the lake carriers’ observation that “salties” are largely responsible for the initial introduction into the basin as a whole. However, the fact remains that “lakers” continue to be a major means by which invasive species have been spread from their initial introduction sites. Lakers, not salties, discharge the bulk of infested ballast water into Minnesota waters. More regulatory attention needs to be given to their actions.

We feel strongly that the MPCA permit requirements must mandate immediate interim treatment measures of ballast water taken from the highest risk areas in the lower Lakes. Perhaps open-lake ballast exchanges might be considered for areas with a lower risk, such as some parts of Lake Michigan.

We urge the MPCA to act swiftly, perhaps in coordination with other agencies, to develop a reasonable effect interim treatment program by September. The perfect mechanical system can still be developed, tested and installed on all vessels at a later date. The threat of VHSV demands you not let the quest for a perfect solution prevent the timely use of a reasonable effective one.

We are happy to assist you and others in the development of an interim solution to stop VHSV now. Please do not hesitate to contact me for clarification of our position.

Sincerely,

John P. Lenczewski